

POSTMASTERS.

ARKANSAS.

Charles R. French to be postmaster at Harrisburg, in the county of Poinsett and State of Arkansas.

Nannie S. White to be postmaster at Ashdown, in the county of Little River and State of Arkansas.

ARIZONA.

Eva M. Marshall to be postmaster at Flagstaff, in the county of Coconino and Territory of Arizona.

CALIFORNIA.

Thomas T. Dargie to be postmaster at Oakland, in the county of Alameda and State of California.

COLORADO.

Robert T. Bunney to be postmaster at Golden, in the county of Jefferson and State of Colorado.

ILLINOIS.

Charles F. Best to be postmaster at Nokomis, in the county of Montgomery and State of Illinois.

John A. Childs to be postmaster at Evanston, in the county of Cook and State of Illinois.

M. J. J. Stowe to be postmaster at Girard, in the county of Macoupin and State of Illinois.

Roger Walwark to be postmaster at Ava, in the county of Jackson and State of Illinois.

INDIANA.

Marion F. Evans to be postmaster at Marion, in the county of Grant and State of Indiana.

Tristram C. Palmer to be postmaster at Montpelier, in the county of Blackford and State of Indiana.

INDIAN TERRITORY.

Richard H. Jenness to be postmaster at Okmulgee, in district 9, Indian Territory.

MISSISSIPPI.

John P. Bennett to be postmaster at Yazoo City, in the county of Yazoo and State of Mississippi.

Drewy W. Rhyne to be postmaster at Lexington, in the county of Holmes and State of Mississippi.

Eugene E. Robertson to be postmaster at Collins, in the county of Covington and State of Mississippi.

Neal M. Woods to be postmaster, at Water Valley, in the county of Yalobusha and State of Mississippi.

NEW HAMPSHIRE.

John B. Cooper to be postmaster at Newport, in the county of Sullivan and State of New Hampshire.

OHIO.

Atwell E. Ferguson to be postmaster at Gibsonburg, in the county of Sandusky and State of Ohio.

OKLAHOMA.

Jasper N. Perkins to be postmaster at Temple, in the county of Comanche and Territory of Oklahoma.

F. Everett Purcell to be postmaster at Enid, in the county of Garfield and Territory of Oklahoma.

PENNSYLVANIA.

Elmer E. Fleming to be postmaster at Haverford, in the county of Montgomery and State of Pennsylvania.

Elmer E. McCracken to be postmaster at North Wales, in the county of Montgomery and State of Pennsylvania.

William McElhaney to be postmaster at Pencoyd, in the county of Montgomery and State of Pennsylvania.

TEXAS.

Gomer S. Williams to be postmaster at Cisco, in the county of Eastland and State of Texas.

Henry Zweifel to be postmaster at Granbury, in the county of Hood and State of Texas.

WASHINGTON.

Lewis E. Hardy to be postmaster at Kent, in the county of King and State of Washington.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 18, 1906.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read.

Mr. PAYNE. Mr. Speaker, I move that the Journal be approved.

The question was taken; and the Journal was approved.

REPRINT OF BILLS.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the reprint of Senate bill 4805 and Senate bill 4806.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the reprint of the two Senate bills indicated. Is there objection? [After a pause.] The Chair hears none.

PRINTING OF CERTAIN DATA.

Mr. CHANEY. Mr. Speaker, I would like to have printed as a document, for the use of the House in connection with the consideration of House bill 8989, the data which have been collected in respect to it.

The SPEAKER. The gentleman from Indiana asks unanimous consent to have printed as a document certain memoranda which have been collected.

Mr. WILLIAMS. Objection is made, Mr. Speaker.

The SPEAKER. The gentleman from Mississippi objects.

CLAIMS ON PRIVATE CALENDAR.

Mr. MILLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for consideration of bills on the Private Calendar.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole for the consideration of bills on the Private Calendar, with Mr. OLMSTED in the chair.

HENRY E. RHOADES.

The first bill on the Private Calendar was the bill (H. R. 9297) for the relief of Henry E. Rhoades, assistant engineer, United States Navy, retired.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized and directed to transfer Asst. Engineer Henry E. Rhoades, upon the retired list of the United States Navy, from the half-pay list to the 75 per cent pay list of retired officers, under section 1588 of the Revised Statutes of the United States, to take effect from the date of his retirement.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The question was taken; and the motion was agreed to.

SAMUEL LEE, DECEASED.

The next business on the Private Calendar was the bill (H. R. 850) making appropriation to pay the estate of Samuel Lee, deceased, in full for any claim for pay and allowances made by reason of election of said Lee to the Forty-seventh Congress and his services therein.

The bill was read, as follows:

Be it enacted, etc., That there be paid, out of any money in the Treasury not otherwise appropriated, to the legal representative of the estate of Samuel Lee, deceased, the sum of \$10,482.80, the same being in full for any claim for pay and allowances made by reason of the election of said Lee to the Forty-seventh Congress and his services therein.

Also the following committee amendment:

Strike out in line 4, after word "legal," all of said line, and in line 5 all of line up to word "the." Insert in lieu thereof the words "representatives of the estate of Samuel Lee, deceased, to wit, Samuel Lee, Anna Lee Andrews, Clarence Lee, Robert Lee, Harry A. Lee, and Phillip Lee, heirs at law."

Mr. GOLDFOGLE. Mr. Chairman, the Lee bill just read by the Clerk was quite fully discussed when we were in the Committee of the Whole House for the consideration of bills upon the Private Calendar the last time. I now ask unanimous consent of this committee that the bill which bears the Calendar No. 2494, for the relief of the Postal Telegraph Company, may be now taken up, and the consideration of the Lee claim laid aside until the Postal Telegraph-Cable Company's bill is disposed of. The reason I make that request is that the claim of the Postal Telegraph-Cable Company is conceded by the Government to be a just one, and the money is due that company for services actually rendered to the Government.

Mr. MILLER. Mr. Chairman, I think I shall object to the request now and save any further discussion.

Mr. GOLDFOGLE. I will change the form of my request. I now ask unanimous consent that the consideration of the Lee case be postponed until the hour of 3 o'clock. I make that motion for the benefit of every Member of this House interested in any claim bill upon the Calendar, both on the Republican and Democratic side. It is unfair to Members having claims upon the Calendar awaiting their disposition to be compelled to have those claims laid aside and not considered; for if the Lee claim is to be taken up ahead of the other claims on this day's Calendar I fear too much time will be consumed to reach claims the consideration of which ought not to be delayed.

The CHAIRMAN. The gentleman from New York [Mr. GOLDFOGLE] asks unanimous consent that the bill which has just been read be laid aside until 3 o'clock. Is there objection?

Mr. MILLER. I object, Mr. Chairman.

Mr. GOLDFOGLE. I move that the consideration of the Lee claim be postponed until the hour of 3 o'clock.

The CHAIRMAN. That motion is not in order. The Chair understands that the debate is closed.

Mr. BARTLETT. Mr. Chairman, I move that the bill be reported to the House with the recommendation that it lie on the table.

The CHAIRMAN. The Chair is informed that when this bill was previously under consideration in the committee that motion was made and voted down by the committee. It is therefore not in order at this time.

Mr. GOLDFOGLE. Is not a motion to lay a bill on the table at the present time in order? We have read the bill, and are considering it. Is it not in order for a Member of this House to move that it do now lie upon the table?

The CHAIRMAN. There is nothing in order except the vote upon this bill (H. R. 850), on the question of laying it aside.

Mr. MILLER. Mr. Chairman, this is a bill for the relief of the heirs of Samuel Lee—

The CHAIRMAN. The Chair will state to the gentleman from Kansas [Mr. MILLER] that the Chair is informed that when this bill was heretofore under consideration in the Committee of the Whole House general debate was closed, and is, therefore, not now in order.

Mr. NEEDHAM. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MILLER. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The gentleman from Kansas [Mr. MILLER] moves that the bill be laid aside with a favorable recommendation.

Mr. BARTLETT. Mr. Chairman, I move as a substitute that the bill be reported to the House with a recommendation that it be indefinitely postponed.

The CHAIRMAN. The gentleman from Georgia moves, as a substitute for the motion of the gentleman from Kansas, or rather as a preferential motion, that the bill be reported to the House with the recommendation that it be indefinitely postponed. The question is, first, on the motion of the gentleman from Georgia.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. SULZER. Division!

The committee divided; and there were—ayes 56, yeas 97.

Mr. GOLDFOGLE. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] and the gentleman from Kansas [Mr. MILLER] will take their places as tellers.

The committee again divided; and tellers reported—ayes 66, yeas 86.

So the motion was rejected.

Mr. GARRETT. Mr. Chairman—

The CHAIRMAN. The question recurs on the motion of the gentleman from Kansas, to lay the bill aside with a favorable recommendation.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent for two minutes to make a statement in connection with the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to be heard for two minutes, to make a statement with reference to the bill. Is there objection? [Cries of "Regular order!"] The regular order is demanded, which is equivalent to an objection.

Mr. MILLER. Mr. Chairman, I hope there will be no objection. The gentleman from Tennessee made the report, as he says, under a misapprehension, I understand; and I think he ought to have an opportunity to make a statement to the committee.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CAPRON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following title:

H. R. 8976. An act to change the line of the reservation at Hot Springs, Ark., and of Reserve avenue; and

H. R. 13938. An act to extend the privileges of the seventh section of the act approved June 10, 1880, to the port of Oswego, N. Y.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 1739. An act granting a pension to Henry Sistrunk;

S. 5670. An act granting an increase of pension to Isaac L. Duggar; and

S. 6128. An act to authorize the construction of a bridge across the Pend d'Oreille River in Stevens County, Wash., by the Pend d'Oreille Development Company.

SAMUEL LEE, DECEASED.

The committee resumed its session.

The CHAIRMAN. The committee will be in order. The committee will suspend business until all gentlemen are seated. The gentleman from Tennessee asks unanimous consent to be heard for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Chairman, I have made this request, deeming it to be fair to myself, and, what is of greater importance, fair to the House, in view of the fact that this report is made in my name. This bill was reported from the Committee on Claims in the very early days of the work of that committee, before the subcommittees had been thoroughly organized and at work; and this bill was not considered by a subcommittee, but was called up in the Committee of the Whole, in my time, by the chairman, Mr. MILLER, of Kansas, as an accommodation to the gentleman from Tennessee, who introduced the bill. The report is simply a reprint of favorable reports in past Congresses. It had had five favorable reports from prior Congresses, with no minority report; and, relying upon those favorable reports, it was assumed that it was following the precedents of the House. But I have since learned, from a thorough investigation, that it will itself set a precedent in the payment to a Member of a salary when that Member was never sworn in in the House. Feeling, therefore, that it would be setting a dangerous precedent to allow this as a salary, I shall vote against the motion to report the bill to the House with a favorable recommendation and against the bill in the House. I do not purpose going into the merits of the election contest, but simply make this statement to the end that I may register my opposition to setting this dangerous precedent.

Mr. MILLER. Mr. Chairman, I desire now to ask unanimous consent to withdraw the motion I have just made. My attention has just been called to the fact that we made some amendments to this bill, and I want the amendments acted upon before the motion to report the bill favorably is passed.

Mr. WILLIAMS. What was your motion?

Mr. MILLER. To lay the bill aside with a favorable recommendation.

Mr. WILLIAMS. Well, Mr. Chairman, without putting the gentleman to the necessity of wasting his time, I shall object.

Mr. MILLER. To what?

Mr. WILLIAMS. To your request.

The CHAIRMAN. The Chair will ask gentlemen to suspend until the Chair ascertains what was done when this bill was last before the committee.

Mr. MILLER. It is possible that those amendments were agreed to, but I do not know.

The CHAIRMAN. The Chair is informed that the amendments were agreed to. Before the Chair entertains the motion he wishes to be first advised as to a certain point in the former proceedings on this bill. [After a pause.] The Chair desires to make a statement. A few moments ago the gentleman from Georgia made a motion that this bill be reported with a recommendation that it lie on the table. The Chair, without being fully advised as to former proceedings, ruled that the motion was out of order, and has taken time to ascertain exactly what was done on the former occasion. The fact appears to be that the last thing which was done in Committee of the Whole, when the bill was before the committee on the former occasion, was to vote down a motion that it be reported to the House with the recommendation that it do lie on the table. It seems, therefore, to the Chair that there having been, so far as this bill is concerned, no business intervening, the similar motion made by the gentleman from Georgia was correctly ruled not in order. The question is on laying the bill aside with a favorable recommendation.

Mr. GOLDFOGLE. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. For the purpose of making an inquiry of the gentleman as to the facts.

The CHAIRMAN. That can be done by unanimous consent. Mr. SULZER. I ask unanimous consent that my colleague have time to make his inquiry.

Mr. GOLDFOGLE. As a matter of fairness—

Mr. MILLER. I object.

Mr. GOLDFOGLE. I want to know whether it is a fact—
 Mr. GROSVENOR. Regular order!
 The CHAIRMAN. Objection is made.
 Mr. GOLDFOGLE. Is there any objection to bringing out the true facts about this claim?
 The CHAIRMAN. Objection is made.
 Mr. WILLIAMS. A parliamentary inquiry.
 The CHAIRMAN. The gentleman will state it.
 Mr. WILLIAMS. Will it not now be in order to move to recommit the bill to the Committee on Claims?
 The CHAIRMAN. The Chair thinks it will be in order to move that it be reported to the House with the recommendation that it be so recommitted.

Mr. WILLIAMS. That is what I mean. I then move that the bill be reported to the House with the recommendation that it be recommitted to the Committee on Claims.

The CHAIRMAN. The Chair is of the opinion that that motion has preference over the motion of the gentleman from Kansas [Mr. MILLER]. The gentleman from Kansas moved that the bill be reported to the House with a favorable recommendation. The gentleman from Mississippi moves that it be reported with the recommendation that it be recommitted to the Committee on Claims. The Chair is of the opinion that the motion of the gentleman from Mississippi is the preferential motion, and that the question now is upon the motion of the gentleman from Mississippi, that the bill be reported to the House with the recommendation that it be recommitted to the Committee on Claims.

Mr. WILLIAMS. Mr. Chairman, a parliamentary inquiry.
 The CHAIRMAN. The gentleman will state it.
 Mr. WILLIAMS. Would it be in order now for me to state my reasons for making that motion?

The CHAIRMAN. The motion is not debatable. The question is on the motion of the gentleman from Mississippi, that the bill be reported to the House with the recommendation that it be recommitted to the Committee on Claims.

The question was taken; and on a division (demanded by Mr. SULZER) there were—ayes 66, noes 86.

Mr. WILLIAMS, Mr. KLINE, and Mr. ELLERBE demanded tellers.

Tellers were ordered; and the Chairman appointed Mr. MILLER and Mr. WILLIAMS.
 The committee again divided; and the tellers reported—ayes 78, noes 98.

Accordingly the motion was rejected.
 The CHAIRMAN. The question is on the motion of the gentleman from Kansas [Mr. MILLER], that the bill be laid aside to be reported to the House with a favorable recommendation.

Mr. WILLIAMS. Mr. Chairman—
 The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WILLIAMS. I was trying my best to get the attention of the Chair while the Chair was in transitu. I wish to move to strike out the enacting clause.

Mr. MILLER. Regular order!
 The CHAIRMAN. The Chair is of the opinion that the stage of amendment has passed, and that the motion of the gentleman is not in order. The Chair thinks nothing is in order except the motion of the gentleman from Kansas to lay the bill aside to be reported to the House with a favorable recommendation.

The question being taken on the motion of Mr. MILLER, on a division (demanded by Mr. WILLIAMS) there were—ayes 103, noes 84.

Mr. WILLIAMS. Let us have tellers, Mr. Chairman.
 Tellers were ordered; and the Chairman appointed Mr. MILLER and Mr. WILLIAMS.

The committee again divided; and the tellers reported—ayes 96, noes 74.

Accordingly the bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. MILLER. I move that the committee do now rise and report the bills to the House.

Mr. GOLDFOGLE. Mr. Chairman—
 The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. For the purpose of asking the gentleman from Kansas whether it would not be fair to the Members, both on his side and on mine, to permit this committee to continue the consideration of these claims that are fair and just.

Mr. MILLER. Regular order!

The CHAIRMAN. The motion is not debatable. The question is on the motion of the gentleman from Kansas that the committee do now rise.

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—ayes 94, noes 76.

Mr. WILLIAMS. Tellers, Mr. Chairman.
 Tellers were ordered; and the Chairman appointed Mr. MILLER and Mr. WILLIAMS.

The committee again divided; and the tellers reported—ayes 92, noes 75.

So the motion was agreed to.
 The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill (H. R. 9297) for the relief of Henry E. Rhodes, assistant engineer, United States Navy, retired, and had instructed him to report the same to the House without amendment, and with the recommendation that the bill do pass; also that the committee had had under consideration the bill (H. R. 850) making appropriation to pay the estate of Samuel Lee, deceased, in full for any claim for pay and allowances made by reason of the election of said Lee to the Forty-seventh Congress and his services therein, and had instructed him to report the same with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. MILLER. Mr. Speaker, I move the previous question on these two bills and amendments to the final passage.

Mr. WILLIAMS. Before that is done we should like to have the title of the first bill reported to the House.

The SPEAKER. The Clerk will report the title of the first bill.

The Clerk read as follows:
 A bill (H. R. 9297) for the relief of Henry E. Rhodes, assistant engineer, United States Navy, retired.

The SPEAKER. The gentleman from Kansas moves the previous question to the final passage of the bill.

The question being taken, on a division (demanded by Mr. MILLER) there were—ayes 118, noes 81.

Mr. WILLIAMS. The yeas and nays, Mr. Speaker.
 The yeas and nays were ordered.

The question was taken; and there were—yeas 143, nays 60, answered "present" 17, not voting 152, as follows:

YEAS—143.

| | | | |
|----------------|----------------|-------------------|-----------------|
| Alexander | Davis, Minn. | Kahn | Perkins |
| Allen, Me. | Dawson | Kelifer | Pollard |
| Bannon | Denby | Kennedy, Nebr. | Prince |
| Barchfeld | Dixon, Mont. | Kennedy, Ohio | Rhodes |
| Bates | Draper | Kinkaid | Roberts |
| Bennet, N. Y. | Dunwell | Knowland | Rodenberg |
| Bennett, Ky. | Dwight | Lacey | Samuel |
| Birdsall | Edwards | Landis, Frederick | Slemp |
| Bishop | Esch | Lawrence | Smith, Cal. |
| Bonyng | Fletcher | Le Fevre | Smith, Iowa |
| Boutell | Foster, Ind. | Lilley, Pa. | Smith, Pa. |
| Bradley | French | Longworth | Smyser |
| Brick | Gainey, W. Va. | Loud | Snapp |
| Brooks, Colo. | Gardner, Mass. | McCall | Southard |
| Brownlow | Gardner, Mich. | McCarthy | Southwick |
| Buckman | Gardner, N. J. | McCleary, Minn. | Sperry |
| Burke, Pa. | Gilbert, Ind. | McCreary, Pa. | Steenerson |
| Butler, Pa. | Goldfogle | McGavin | Stevens, Minn. |
| Calderhead | Goulden | McKinlay, Cal. | Sullivan, Mass. |
| Campbell, Ohio | Graff | McKinney | Sulloway |
| Capron | Graham | McLachlan | Sulzer |
| Chaney | Greene | McNary | Tawney |
| Chapman | Grosvenor | Madden | Taylor, Ohio |
| Cockran | Hale | Mann | Thomas, Ohio |
| Cocks | Hamilton | Marshall | Tirrell |
| Cole | Haugen | Miller | Townsend |
| Conner | Hayes | Mondell | Volstead |
| Cooper, Pa. | Hedge | Mouser | Wachter |
| Cooper, Wis. | Hepburn | Mudd | Waldo |
| Cousins | Hill, Conn. | Murdock | Wanger |
| Cromer | Hinshaw | Murphy | Weeks |
| Crumpacker | Hoar | Needham | Wharton |
| Currier | Howell, N. J. | Nevin | Williams |
| Curtis | Howell, Utah. | Olcott | Wilson |
| Cushman | Hubbard | Olmsted | Young |
| Dale | Jones, Wash. | Payne | |

NAYS—69.

| | | | |
|---------------|------------------|------------------|---------------|
| Adamson | Fitzgerald | Kellher | Russell |
| Aiken | Floyd | Kitchin, Wm. W. | Ryan |
| Bartlett | Garner | Lee | Shackelford |
| Beall, Tex. | Garrett | Lester | Sherley |
| Bell, Ga. | Gill | Lewis | Sims |
| Bowers | Gillespie | Livingston | Smith, Md. |
| Brantley | Glass | Lloyd | Smith, Tex. |
| Broocks, Tex. | Granger | Macon | Spight |
| Brundidge | Griggs | Page | Talbott |
| Burgess | Hardwick | Patterson, N. C. | Thomas, N. C. |
| Burleson | Hay | Patterson, S. C. | Underwood |
| Candler | Heflin | Pujo | Wallace |
| Clark, Fla. | Henry, Tex. | Randell, Tex. | Webb |
| Clayton | Hopkins | Richardson, Ala. | Wiley, Ala. |
| De Armond | Humphreys, Miss. | Rixey | Zenor |
| Dixon, Ind. | Hunt | Robertson, La. | |
| Ellerbe | Johnson | Robinson, Ark. | |
| Finley | Jones, Va. | Rucker | |

ANSWERED "PRESENT"—17.

| | | | |
|-------------|---------|--------------|-------------|
| Clark, Mo. | Howard | Loudenslager | Sherman |
| Davey, La. | Jenkins | Maynard | Smith, Ill. |
| Foster, Vt. | Kline | Moon, Tenn. | |
| Fulkerson | Lamb | Otjen | |
| Fuller | Lever | Sheppard | |

NOT VOTING—152.

| | | | |
|-----------------|-----------------|------------------|------------------|
| Acheson | Fassett | Landis, Chas. B. | Richardson, Ky. |
| Adams, Pa. | Feld | Law | Rives |
| Adams, Wis. | Flack | Legare | Ruppert |
| Allen, N. J. | Flood | Lilley, Conn. | Schneebell |
| Ames | Fordney | Lindsay | Scott |
| Andrus | Foss | Littauer | Scroggy |
| Babcock | Fowler | Little | Shartel |
| Bankhead | Gaines, Tenn. | Littlefield | Sibley |
| Bartholdt | Garber | Lorimer | Slayden |
| Bede | Gilbert, Ky. | Lovering | Small |
| Beldler | Gillett, Cal. | McDermott | Smith, Ky. |
| Bingham | Gillett, Mass. | McKinley, Ill. | Smith, Samuel W. |
| Blackburn | Goebel | McLain | Smith, Wm. Alden |
| Bowersock | Gregg | McMorran | Southall |
| Bowie | Gronna | Mahon | Sparkman |
| Broussard | Gudger | Martin | Stafford |
| Brown | Haskins | Meyer | Stanley |
| Burke, S. Dak. | Hearst | Michalek | Stephens, Tex. |
| Burleigh | Henry, Conn. | Minor | Sterling |
| Burnett | Hermann | Moon, Pa. | Sullivan, N. Y. |
| Burton, Del. | Higgins | Moore | Taylor, Ala. |
| Burton, Ohio | Hill, Miss. | Morrell | Towne |
| Butler, Tenn. | Hitt | Norris | Trimble |
| Byrd | Hogg | Overstreet | Tyndall |
| Calder | Holliday | Padgett | Van Duzer |
| Campbell, Kans. | Houston | Palmer | Van Winkle |
| Cassel | Huff | Parker | Vreeland |
| Dalzell | Hughes | Parsons | Wadsworth |
| Darragh | Hull | Patterson, Tenn. | Watkins |
| Davidson | Humphrey, Wash. | Pearre | Watson |
| Davis, W. Va. | James | Pou | Webber |
| Dawes | Ketcham | Powers | Weems |
| Deemer | Kitchin, Claude | Rainey | Weisse |
| Dickson, Ill. | Klepper | Ransdell, La. | Welborn |
| Dovener | Knapp | Reeder | Wiley, N. J. |
| Dresser | Knopf | Reid | Wood, Mo. |
| Driscoll | Lafean | Reynolds | Wood, N. J. |
| Ellis | Lamar | Rhinock | Woodyard |

So the previous question was ordered.

The following pairs were announced:

For the session:

Mr. SHERMAN with Mr. RUPPERT.

Until May 24:

Mr. FULLER with Mr. RICHARDSON of New York.

Until May 21:

Mr. DALZELL with Mr. CLARK of Missouri.

Until May 20:

Mr. SCOTT with Mr. HOWARD.

Until further notice:

Mr. DEEMER with Mr. KLINE.

Mr. BURKE of South Dakota with Mr. DAVEY of Louisiana.

Mr. DOVENER with Mr. SPARKMAN.

Mr. DRISCOLL with Mr. RANSDALL of Louisiana.

Mr. FOSTER of Vermont with Mr. POU.

Mr. HITT with Mr. LEGARE.

Mr. HUFF with Mr. WOOD of Missouri.

Mr. JENKINS with Mr. SMITH of Kentucky.

Mr. KNOFF with Mr. WEISSE.

Mr. LILLEY of Connecticut with Mr. REID.

Mr. OTJEN with Mr. PADGETT.

Mr. POWERS with Mr. GAINES of Tennessee.

Mr. REYNOLDS with Mr. McDERMOTT.

Mr. SCHNEEBELI with Mr. PATTERSON of Tennessee.

Mr. WM. ALDEN SMITH with Mr. SHEPPARD.

Mr. WATSON with Mr. LITTLE.

Mr. WELBORN with Mr. GUDGER.

Mr. WOODYARD with Mr. MAYNARD.

Mr. MORELL with Mr. SULLIVAN of New York.

Mr. FULKERSON with Mr. CLAUDE KITCHIN.

Mr. FOSS with Mr. MEYER.

Mr. HASKINS with Mr. LEVER.

For this day:

Mr. KETCHAM with Mr. RAINEY.

Mr. KNAPP with Mr. LAMAR.

Mr. ANDRUS with Mr. BOWIE.

Mr. SIBLEY with Mr. WATKINS.

Mr. BINGHAM with Mr. HEARST.

Mr. WADSWORTH with Mr. VAN DUZER.

Mr. BABCOCK with Mr. BROUSSARD.

Mr. GRONNA with Mr. JAMES.

Mr. PEARRE with Mr. TAYLOR of Alabama.

Mr. PARSONS with Mr. TRIMBLE.

Mr. MAHON with Mr. STANLEY.

Mr. MCKINLEY of Illinois with Mr. SOUTHALL.

Mr. LITTAUER with Mr. SLAYDEN.

Mr. LAFEAN with Mr. MOON of Tennessee.

Mr. HULL with Mr. McLAIN.

Mr. GILLET of Massachusetts with Mr. LINDSAY.

Mr. DICKSON of Illinois with Mr. HOUSTON.

Mr. DAWES with Mr. HILL of Mississippi.

Mr. DAVIDSON with Mr. GILBERT of Kentucky.

Mr. CASSEL with Mr. GARBER.

Mr. BROWN with Mr. FLOOD.

Mr. BOWERSOCK with Mr. FIELD.

Mr. BEIDLER with Mr. DAVIS of West Virginia.

Mr. BARTHOLDT with Mr. BYRD.

Mr. ADAMS of Wisconsin with Mr. BUTLER of Tennessee.

Mr. ADAMS of Pennsylvania with Mr. BANKHEAD.

Mr. ACHESON with Mr. BURNETT.

Mr. BLACKBURN with Mr. SMALL.

Mr. RIVES with Mr. MOORE.

On this vote:

Mr. LOUDENSLAGER with Mr. RHINOCK.

Mr. OVERSTREET with Mr. STEPHENS of Texas.

Mr. SAMUEL W. SMITH with Mr. TOWNE.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. I am informed that the previous question

which has just been voted upon was on two separate bills; I

would like to ask if that is true?

The SPEAKER. The Chair understands that it was on

House bill 9297.

Mr. WILLIAMS. Then it was only on one bill?

Mr. CURTIS. Mr. Speaker, I would like to have my name

called, I did not hear it.

The SPEAKER. Was the gentleman present and in his seat

and giving attention when his name should have been called?

Mr. CURTIS. I was.

The SPEAKER. And the gentleman did not hear it?

Mr. CURTIS. I did not.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. CURTIS, and he answered

aye, as above recorded.

Mr. WILLIAMS. Mr. Speaker, I want to ask how I am

recorded?

The SPEAKER. The gentleman is recorded in the negative.

Mr. WILLIAMS. I desire to change my vote to the affirma-

tive.

The Clerk called the name of Mr. WILLIAMS, and he voted

aye, as above recorded.

The result of the vote was then announced as above recorded.

Mr. WILLIAMS. Mr. Speaker, I desire to move to recon-

sider the vote by which the previous question was ordered.

The SPEAKER. The gentleman from Mississippi enters a

motion to reconsider.

Mr. MILLER. Mr. Speaker, I raise the point of order on

that motion that the motion is dilatory.

Mr. WILLIAM W. KITCHIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILLIAM W. KITCHIN. Mr. Speaker, I ask unani-

mous consent that the motion to reconsider be withdrawn and

that the gentleman from Pennsylvania who reported this bill

have ten minutes in favor of it and that gentlemen on this side

have ten minutes discussion against it.

Mr. KEIFER. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is demanded, which is

equivalent to an objection. The gentleman from Kansas makes

the point that the motion to reconsider is dilatory. The yeas

upon this vote are 143, the nays are 69, present 17. There can

be no doubt but that the vote is substantially correct. The

Chair will cause to be read section 10 of Rule XVI.

Mr. WILLIAMS. Mr. Speaker, I desire to be heard on that

point of order.

The SPEAKER. One moment. The Chair is prepared to

rule. The Clerk will read the rule.

Mr. WILLIAMS. But, Mr. Speaker, I think that when a

point of order is made that a motion is dilatory—

The SPEAKER. One moment. The gentleman will sus-

pend, and the Clerk will read the rule.

The Clerk read as follows:

No dilatory motion shall be entertained by the Speaker.

Mr. WILLIAMS. Now, Mr. Speaker, the gentleman makes

the point of order that this motion is dilatory.

The SPEAKER. Yes.

Mr. WILLIAMS. That is a point of order which above all

things is open to discussion by the man who makes the motion.

The SPEAKER. Not at all, the Chair will say to the gentle-

man from Mississippi, because if it were open for discussion

and open for appeal, the gentleman can see at once that would

heap one dilatory motion, if this be dilatory, upon another, and

the rule itself would be nullified. Now, the Chair having had

clause 10 of Rule XVI read, and the vote being as the Chair

stated, 143 yeas and 69 nays, it is perfectly patent to the Chair and, in the opinion of the Chair, to every Member of this House, including the gentleman from Mississippi, that this is a dilatory motion.

Mr. WILLIAMS. Mr. Speaker, in order to emphasize the difference of opinion existing between the Chair and the gentleman from Mississippi, I respectfully appeal from the decision of the Chair.

The SPEAKER. The Chair has just stated that the very object of the rule would be defeated if a motion to appeal were entertained, and it is so patent that it is dilatory that the Chair would be willing to put the question to the gentleman from Mississippi [Mr. WILLIAMS] himself on his word. [Laughter and applause.]

Mr. WILLIAMS. Mr. Speaker, the gentleman from Mississippi is of the opinion—

Mr. KEIFER. Mr. Speaker, I call for the regular order.

Mr. WILLIAMS. That if the Chair would give the gentleman five minutes he could possibly convince this House that this bill ought not to pass.

Mr. MILLER. I call for the regular order.

Mr. WILLIAMS. Such is the confidence of the gentleman from Mississippi in the open-mindedness of the House.

The SPEAKER. The regular order is demanded. The question is on the engrossment and third reading of the bill.

Mr. WILLIAMS. Mr. Speaker, before that motion is put to the House, I desire to move to recommit the bill to the Committee on Naval Affairs, with instructions to strike out the provisions for back pay.

Mr. MILLER. Mr. Speaker, I raise the point of order on that motion that it is dilatory.

The SPEAKER. The Chair will state that the motion is not now in order.

Mr. WILLIAMS. Then I shall make that motion at the proper time. I know that is not dilatory.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—yeas 143, noes 61.

Mr. WILLIAMS. I call for tellers.

Mr. BUTLER of Pennsylvania. Call for the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays.

Mr. WILLIAMS. One moment, Mr. Speaker. Who has called for the yeas and nays?

The SPEAKER. The gentleman from Pennsylvania.

Mr. WILLIAMS. Oh, I heard the gentleman from Pennsylvania suggest to somebody else to call for the yeas and nays.

Mr. BUTLER of Pennsylvania. Then, Mr. Speaker, I now call for the yeas and nays.

Mr. WILLIAMS. Now the yeas and nays are called for.

The SPEAKER. The gentleman demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 135, nays 62, answered "present" 17, not voting 167, as follows:

YEAS—135.

| | | | |
|----------------|----------------|-------------------|------------------|
| Alexander | Davis, Minn. | Howell, Utah | Olmsted |
| Allen, Me. | Dawson | Hubbard | Overstreet |
| Ames | Denby | Humphrey, Wash. | Payne |
| Bannon | Dickson, Ill. | Hunt | Perkins |
| Barchfeld | Draper | Jones, Wash. | Pollard |
| Bede | Dunwell | Kahn | Prince |
| Bennet, N. Y. | Dwight | Kelfer | Reader |
| Bennett, Ky. | Edwards | Kennedy, Nebr. | Rhodes |
| Birdsall | Esch | Knowland | Rodenberg |
| Bonyng | Fassett | Lacey | Samuel |
| Boutell | Fletcher | Landis, Frederick | Slomp |
| Bradley | Foster, Ind. | Lawrence | Smith, Cal. |
| Brick | Foster, Vt. | Le Fevre | Smith, Ill. |
| Brooks, Colo. | French | Lilley, Pa. | Smith, Iowa |
| Brownlow | Gaines, W. Va. | Longworth | Smith, Samuel W. |
| Burke, Pa. | Gardner, Mass. | McCall | Smith, Pa. |
| Butler, Pa. | Garner | McCleary, Minn. | Snapp |
| Campbell, Ohio | Goldfogle | McCreary, Pa. | Southard |
| Capron | McGavin | McKinney | Southwick |
| Chaney | Graff | McLachlan | Sperry |
| Chapman | Graham | McNary | Steenerson |
| Cocks | Greene | Madden | Sterling |
| Cole | Grosvenor | Mann | Stevens, Minn. |
| Conner | Hale | Marshall | Sulloway |
| Cooper, Pa. | Hamilton | Miller | Thomas, Ohio |
| Cooper, Wis. | Haugen | Mondell | Volstead |
| Cousins | Hayes | Mouser | Wachter |
| Cromer | Hedge | Mudd | Waldo |
| Crumpacker | Henry, Conn. | Murdock | Wanger |
| Currier | Hepburn | Murphy | Weeks |
| Curtis | Hill, Conn. | Nevins | Wharton |
| Cushman | Hinshaw | Needham | Wood, N. J. |
| Dale | Hear | Olcott | Zenorr |
| Darragh | Howell, N. J. | | |

NAYS—62.

| | | | |
|-------------|---------------|-------------|------------|
| Adamson | Brantley | Clark, Fla. | Ellerbe |
| Bankhead | Broocks, Tex. | Clayton | Fitzgerald |
| Beall, Tex. | Brundidge | De Armond | Floyd |
| Bowers | Candler | Dixon, Ind. | |

| | | | |
|------------------|------------------|------------------|-----------------|
| Gill | Keliher | Randell, Tex. | Smith, Tex. |
| Gillespie | Kitchin, Wm. W. | Richardson, Ala. | Spight |
| Glass | Lee | Riley | Sullivan, Mass. |
| Griggs | Lester | Robertson, La. | Sulzer |
| Hardwick | Lewis | Robinson, Ark. | Thomas, N. C. |
| Hay | Livingston | Rucker | Underwood |
| Healin | Lloyd | Russell | Wallace |
| Henry, Tex. | Macon | Ryan | Webb |
| Hopkins | Page | Shackleford | Wiley, Ala. |
| Humphreys, Miss. | Patterson, N. C. | Sherley | Williams |
| Johnson | Patterson, S. C. | Sims | |
| Jones, Va. | Pou | Smith, Md. | |

ANSWERED "PRESENT"—17.

| | | | |
|--------------|----------------|-------------|-----------|
| Bell, Ga. | Garrett | Lamb | Sherman |
| Burton, Ohio | Gillett, Mass. | Lever | Wood, Mo. |
| Clark, Mo. | Gregg | Moon, Tenn. | |
| Davey, La. | Jenkins | Otjen | |
| Fulkerson | Kline | Sheppard | |

NOT VOTING—167.

| | | | |
|-----------------|------------------|------------------|------------------|
| Acheson | Field | Law | Roberts |
| Adams, Pa. | Flack | Legare | Ruppert |
| Adams, Wis. | Flood | Lilley, Conn. | Schneebell |
| Aiken | Fordney | Lindsay | Scott |
| Allen, N. J. | Foss | Littauer | Scroggy |
| Andrus | Fowler | Little | Shartel |
| Babcock | Fuller | Littlefield | Sibley |
| Bartholdt | Gaines, Tenn. | Lorimer | Slayden |
| Bartlett | Garber | Loud | Small |
| Bates | Gardner, Mich. | Loudenslager | Smith, Ky. |
| Beidler | Gardner, N. J. | Lovering | Smith, Wm. Alden |
| Bingham | Gilbert, Ind. | McCarthy | Smyser |
| Bishop | Gilbert, Ky. | McDermott | Southall |
| Blackburn | Gillett, Cal. | McKinley, Cal. | Sparkman |
| Bowersock | Goebel | McKinley, Ill. | Stafford |
| Bowie | Granger | McLain | Stanley |
| Broussard | Gronna | McMorran | Stephens, Tex. |
| Brown | Gudger | Mahon | Sullivan, N. Y. |
| Buckman | Haskins | Martin | Talbott |
| Burgess | Hearst | Maynard | Tawney |
| Burke, S. Dak. | Hermann | Meyer | Taylor, Ala. |
| Burleigh | Higgins | Michalek | Taylor, Ohio |
| Burleson | Hill, Miss. | Minor | Tirrell |
| Burnett | Hitt | Moon, Pa. | Towne |
| Burton, Del. | Hogg | Moore | Townsend |
| Butler, Tenn. | Holliday | Morrill | Trimble |
| Byrd | Houston | Norris | Tyndall |
| Calder | Howard | Padgett | Van Duzer |
| Calderhead | Huff | Palmer | Van Winkle |
| Campbell, Kans. | Hughes | Parker | Vreeland |
| Cassel | Hull | Parsons | Wadsworth |
| Cockran | James | Patterson, Tenn. | Watkins |
| Datzell | Kennedy, Ohio | Pearre | Watson |
| Davidson | Ketcham | Powers | Webber |
| Davis, W. Va. | Kinkaid | Pujo | Weems |
| Dawes | Kitchin, Claude | Rainey | Weisse |
| Deemer | Klepper | Ransdell, La. | Welborn |
| Dixon, Mont. | Knapp | Reid | Wiley, N. J. |
| Dovener | Knopf | Reynolds | Wilson |
| Dresser | Lafean | Rhinock | Woodyard |
| Driscoll | Lamar | Richardson, Ky. | Young |
| Ellis | Landis, Chas. B. | Rives | |

So the bill was ordered to be engrossed and read a third time.

The Clerk announced the following additional pairs:

For the vote:

- Mr. DIXON of Montana with Mr. HOUSTON.
- Mr. GARDNER of Michigan with Mr. BURLESON.
- Mr. GILBERT of Indiana with Mr. GARRETT.
- Mr. LOVERING with Mr. GREGG.
- Mr. ROBERTS with Mr. PUJO.
- Mr. TAWNEY with Mr. BARTLETT.
- Mr. TAYLOR of Ohio with Mr. TALBOTT.
- Mr. DRESSER with Mr. STEPHENS of Texas.

For the day:

- Mr. BURLEIGH with Mr. AIKEN.
- Mr. BURTON of Delaware with Mr. BELL of Georgia.
- Mr. CAMPBELL of Kansas with Mr. COCKRAN.
- Mr. HOGG with Mr. TOWNE.
- Mr. LORIMER with Mr. GRANGER.

The result of the vote was announced as above recorded.

Mr. WILLIAMS. Mr. Speaker—

The SPEAKER. One moment; as soon as the bill is read.

The bill was read the third time.

Mr. WILLIAMS. Mr. Speaker, I now move to recommit the bill to the Committee on Naval Affairs with instructions to strike out the following language: "from the date of his retirement," and to insert in its stead the language "from the date of the passage of this bill."

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry. Under the orders previously adopted, I understand that there can be no debate.

The SPEAKER. That is correct.

The question was taken; and the Chair announced that the yeas seemed to have it.

Mr. WILLIAMS. Division, Mr. Speaker.

The House divided; and there were—yeas 60, noes 110.

Mr. WILLIAMS. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The Doorkeeper will close the doors, and the yeas and nays are ordered under the rule. As many as are in favor of the motion of the gentleman from Mississippi will, as their names are called, answer "aye;" as many as are opposed will answer "no;" those not voting will answer "present;" and the Sergeant-at-Arms is instructed to bring in absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 63, nays 145, answered "present" 21, not voting 152, as follows:

YEAS—63.

| | | | |
|--------------|------------------|------------------|---------------|
| Adamson | Fitzgerald | Livingston | Ryan |
| Alken | Floyd | Lloyd | Shackelford |
| Bankhead | Garner | McNary | Sherley |
| Bartlett | Gillespie | Macon | Sims |
| Beall, Tex. | Griggs | Meyer | Smith, Tex. |
| Bowers | Hardwick | Page | Spight |
| Brantley | Hay | Patterson, N. C. | Sulzer |
| Brooks, Tex. | Heflin | Patterson, S. C. | Talbot |
| Brundidge | Hopkins | Pou | Thomas, N. C. |
| Candler | Humphreys, Miss. | Randell, Tex. | Underwood |
| Clark, Fla. | Johnson | Richardson, Ala. | Wallace |
| Clayton | Jones, Va. | Rixey | Webb |
| De Armond | Kitchin, Wm. W. | Robertson, La. | Willey, Ala. |
| Dixon, Ind. | Lee | Robinson, Ark. | Williams |
| Ellerbe | Lester | Rucker | Zenor |
| Finley | Lewis | Russell | |

NAYS—145.

| | | | |
|----------------|-----------------|-------------------|------------------|
| Alexander | Dickson, Ill. | Kennedy, Nebr. | Reeder |
| Allen, Me. | Draper | Kennedy, Ohio | Rhodes |
| Ames | Dunwell | Kinkaid | Rodenberg |
| Bannon | Dwight | Knowland | Samuel |
| Barchfeld | Edwards | Lacey | Siemp |
| Bates | Esch | Landis, Frederick | Smith, Cal. |
| Bede | Fassett | Lawrence | Smith, Iowa |
| Bennet, N. Y. | Fletcher | Le Fevre | Smith, Samuel W. |
| Bennett, Ky. | Foster, Ind. | Lilley, Pa. | Smith, Pa. |
| Bonyng | Foster, Vt. | Littlefield | Smyser |
| Boutell | French | Longworth | Snapp |
| Bradley | Galnes, W. Va. | Loud | Southard |
| Brick | Gardner, Mass. | McCall | Southwick |
| Brownlow | Goldfogle | McCleary, Minn. | Sperry |
| Buckman | Goulden | McCreary, Pa. | Steenerson |
| Burke, Pa. | Graft | McGavin | Sterling |
| Burton, Ohio | Graham | McKinlay, Cal. | Stevens, Minn. |
| Butler, Pa. | Greene | McKinley, Ill. | Sulloway |
| Campbell, Ohio | Grosvenor | McLachlan | Tawney |
| Capron | Hale | Madden | Taylor, Ohio |
| Chaney | Hamilton | Mann | Thomas, Ohio |
| Chapman | Haugen | Marshall | Tirrell |
| Cocks | Hayes | Miller | Townsend |
| Cole | Hedge | Mondell | Trimble |
| Cooper, Pa. | Henry, Conn. | Mouser | Tyndall |
| Cooper, Wis. | Hepburn | Mudd | Volstead |
| Cousins | Hill, Conn. | Murdock | Wachter |
| Cromer | Hinshaw | Murphy | Waldo |
| Crumpacker | Hoar | Needham | Wanger |
| Currier | Holliday | Nevin | Weeks |
| Curtis | Howell, Utah | Norris | Wharton |
| Cushman | Hubbard | Olcott | Wilson |
| Dale | Humphrey, Wash. | Olmsted | Wood, N. J. |
| Darragh | Hunt | Overstreet | Young |
| Davis, Minn. | Jones, Wash. | Payne | |
| Dawson | Kahn | Pollard | |
| Denby | Keifer | Prince | |

ANSWERED "PRESENT"—21.

| | | | |
|--------------|---------|-------------|-----------|
| Clark, Mo. | Garrett | Lamb | Sheppard |
| Davey, La. | Glass | Lever | Sherman |
| Dixon, Mont. | Gregg | McCarthy | Wood, Mo. |
| Foss | Howard | Moon, Tenn. | |
| Fulkerson | Jenkins | Otjen | |
| Fuller | Kline | Powers | |

NOT VOTING—152.

| | | | |
|-----------------|----------------|------------------|------------------|
| Acheson | Davis, W. Va. | Howell, N. J. | Morrell |
| Adams, Pa. | Dawes | Huff | Padgett |
| Adams, Wis. | Deemer | Hughes | Palmer |
| Allen, N. J. | Dovener | Hull | Parker |
| Andrus | Dresser | James | Parsons |
| Babcock | Driscoll | Kelher | Patterson, Tenn. |
| Bartholdt | Ellis | Ketcham | Pearre |
| Beldler | Field | Kitchin, Claude | Perkins |
| Bell, Ga. | Flack | Klepper | Pujo |
| Bingham | Flood | Knapp | Raney |
| Birdsall | Fordney | Knopf | Ransdell, La. |
| Bishop | Fowler | Lafean | Reid |
| Blackburn | Galnes, Tenn. | Lamar | Reynolds |
| Bowersock | Garber | Landis, Chas. B. | Rhinock |
| Bowie | Gardner, Mich. | Law | Richardson, Ky. |
| Brooks, Colo. | Gardner, N. J. | Legare | Rives |
| Broussard | Gilbert, Ind. | Lilley, Conn. | Roberts |
| Brown | Gilbert, Ky. | Lindsay | Ruppert |
| Burgess | Gill | Littauer | Schneebeil |
| Burke, S. Dak. | Gillett, Cal. | Little | Scott |
| Burleigh | Gillett, Mass. | Lorimer | Scroggy |
| Burleson | Goebel | Loudenslager | Shartel |
| Burratt | Granger | Loving | Sibley |
| Burton, Del. | Gronna | McDermott | Slayden |
| Butler, Tenn. | Gudger | McKinney | Small |
| Byrd | Haskins | McLain | Smith, Ill. |
| Calder | Hearst | McMorran | Smith, Ky. |
| Calderhead | Henry, Tex. | Mahon | Smith, Md. |
| Campbell, Kans. | Hermann | Martin | Smith, Wm. Alden |
| Cassell | Higgins | Maynard | Southall |
| Cockran | Hill, Miss. | Michalek | Sparkman |
| Conner | Hitt | Minor | Stafford |
| Dalzell | Hogg | Moon, Pa. | Stanley |
| Davidson | Houston | Moore | Stephens, Tex. |

| | | | |
|-----------------|------------|---------|--------------|
| Sullivan, Mass. | Van Duzer | Watkins | Welssse |
| Sullivan, N. Y. | Van Winkle | Watson | Welborn |
| Taylor, Ala. | Vreeland | Webber | Wiley, N. J. |
| Towne | Wadsworth | Weems | Woodyard |

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

For the vote:

Mr. BIRDSALL with Mr. KELIHER.

Mr. BISHOP with Mr. SMITH of Maryland.

Mr. BROOKS of Colorado with Mr. GREGG.

Mr. CONNER with Mr. GILL.

Mr. GARDNER of Michigan with Mr. BURLESON.

Mr. GILBERT of Indiana with Mr. GARRETT.

Mr. HOWELL of New Jersey with Mr. SULLIVAN of Massachusetts.

Mr. ROBERTS with Mr. PUJO.

For the day:

Mr. FORDNEY with Mr. HOUSTON.

Mr. MCKINNEY with Mr. HENRY of Texas.

Mr. GARRETT. Mr. Speaker, on the last vote I was paired with the gentleman from Indiana [Mr. GILBERT], with the agreement that if he had not returned by the time this vote was taken it should go over and apply to this vote. I wish to inquire whether the gentleman from Indiana [Mr. GILBERT] has voted?

The SPEAKER. He did not vote. Call the gentleman's name.

Mr. GARRETT's name was called, and he answered "Present."

Mr. WILLIAMS. Mr. Speaker, I wish to call the attention of the Speaker to this fact in connection with the call of the roll as a matter of privilege of the House: The Clerk called the name of Mr. SPARKMAN of Florida, and answered aye for him. Mr. SPARKMAN is neither in the Hall nor in the city, and I think it would be well for the Speaker to admonish the gentlemen at the desk to be more careful.

The SPEAKER. The Chair will state to the gentleman from Mississippi that the officials of the House at the Clerk's desk were immediately in front of the Speaker not only during this Congress, but last Congress, and the Chair very cheerfully bears testimony to their efficiency and integrity. [Applause.] The Chair will call the attention of the gentleman from Mississippi to the fact that with this great Hall and the great membership and the galleries it would be strange indeed if now and then a mistake was not made.

Mr. WILLIAMS. Mr. Speaker, I am aware of the facts which the Speaker has mentioned. I am aware of the fact that my own hearing is not good, and yet notwithstanding that fact it was perfectly plain to me that Mr. SPARKMAN did not answer and the Clerk proceeded to answer for him.

The SPEAKER. I have no doubt that is correct. The Clerk in calling the roll, where he hears a response—

Mr. WILLIAMS. There was no response.

The SPEAKER (continuing). Where he hears no response, and in the confusion believe he hears a response, in good faith repeats the name afterwards.

Mr. WILLIAMS. I am not, Mr. Speaker, attacking the good faith of anybody. I am entirely suggesting. I brought this matter up for the purpose of obtaining a more careful calling of the roll, especially when the question of the determination of whether a quorum is present or not is involved.

The SPEAKER. The gentleman from Mississippi states that the gentleman from Florida [Mr. SPARKMAN] is not here and was not present when his name was called.

Mr. WILLIAMS. And his colleague from Florida [Mr. CLARK] informs me he is not in the city.

The SPEAKER. The statement of the gentleman from Mississippi [Mr. WILLIAMS], of course, will be taken, and the name of Mr. SPARKMAN expunged from the roll.

Mr. WILLIAMS. Now, Mr. Speaker, my reason for bringing it to the attention of this House was this: Several times I have thought, but have never been certain, and may in every case have been mistaken, that similar occurrences have happened. In this case I was certain and I subsequently determined the fact. [Cries of "Regular order!"]

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill. The doors will be opened.

Mr. SULZER. A point of order, Mr. Speaker.

The SPEAKER. What is the point?

Mr. SULZER. I want to know if the bill has been engrossed?

Mr. WILLIAMS. Has the Speaker announced the bill?

The SPEAKER. This vote is on the passage of the bill.

Mr. SULZER. The bill can not be passed unless engrossed.

The SPEAKER. It can not.

Mr. SULZER. I make the point of order that the bill has not been engrossed.

The SPEAKER. The point of order is overruled. The statement is not true. The bill has been engrossed, and the question is on the passage of the bill.

Mr. SULZER. Mr. Speaker, I inquired in a parliamentary way if the bill had been engrossed and was informed it could not have been in the time which has elapsed.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. WILLIAMS. Division!

Mr. MILLER. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 128, nays 68, answered "present" 16, not voting 169, as follows:

YEAS—128.

| | | | |
|----------------|----------------|-------------------|----------------|
| Allen, Me. | Darragh | Holliday | Norris |
| Ames | Davis, Minn. | Howell, N. J. | Olcott |
| Bannon | Dawson | Howell, Utah | Olmsted |
| Barchfeld | Denby | Hubbard | Overstreet |
| Bates | Dickson, Ill. | Humphrey, Wash. | Prince |
| Bede | Dixon, Mont. | Hunt | Reeder |
| Bennet, N. Y. | Draper | Jones, Wash. | Rhodes |
| Birdsall | Dunwell | Kahn | Roberts |
| Bonyng | Dwight | Kelfer | Rodenberg |
| Boutell | Esch | Kennedy, Ohio | Samuel |
| Bradley | Fassett | Knowland | Slemp |
| Brick | Fletcher | Lacey | Smith, Cal. |
| Brownlow | Foster, Ind. | Landis, Frederick | Smith, Ill. |
| Buckman | Foster, Vt. | Le Fevre | Smith, Iowa |
| Burke, Pa. | French | Lilley, Pa. | Smith, Pa. |
| Burton, Ohio | Gaines, W. Va. | Longworth | Smyser |
| Butler, Pa. | Gardner, Mass. | Loud | Southwick |
| Campbell, Ohio | Goldfogle | Loudenslager | Sperry |
| Capron | Goulden | McCleary, Minn. | Steenerson |
| Chaney | Graff | McCreary, Pa. | Stevens, Minn. |
| Chapman | Graham | McKinlay, Cal. | Sulloway |
| Cocks | Greene | McKinley, Ill. | Taylor, Ohio |
| Cole | Grosvenor | McLachlan | Tirrell |
| Cooper, Pa. | Hale | Madden | Townsend |
| Cooper, Wis. | Hamilton | Marshall | Tyndall |
| Cousins | Haugen | Miller | Volstead |
| Cromer | Hayes | Mondell | Wachter |
| Crumpacker | Hedge | Mouser | Waldo |
| Currier | Henry, Conn. | Murdock | Wanger |
| Curtis | Hepburn | Murphy | Weeks |
| Cushman | Hinshaw | Needham | Wharton |
| Dale | Hoar | Nevin | Wood, N. J. |

NAYS—68.

| | | | |
|---------------|------------------|------------------|---------------|
| Adamson | Finley | Kitchin, Wm. W. | Rucker |
| Aiken | Fitzgerald | Lee | Russell |
| Bankhead | Floyd | Lester | Ryan |
| Bartlett | Garner | Lewis | Shackelford |
| Beall, Tex. | Gill | Livingston | Shelley |
| Bowers | Gillespie | Lloyd | Sims |
| Brantley | Glass | Macon | Smith, Md. |
| Broocks, Tex. | Griggs | Meyer | Smith, Tex. |
| Brundidge | Hardwick | Page | Splight |
| Burgess | Hay | Patterson, N. C. | Sulzer |
| Burnett | Heflin | Patterson, S. C. | Talbott |
| Candler | Henry, Tex. | Pou | Thomas, N. C. |
| Clark, Fla. | Hopkins | Randell, Tex. | Underwood |
| Clayton | Humphreys, Miss. | Richardson, Ala. | Wallace |
| De Armond | Johnson | Rixey | Wiley, Ala. |
| Dixon, Ind. | Jones, Va. | Robertson, La. | Williams |
| Ellerbe | Keilher | Robinson, Ark. | Zenor |

PRESENT—16.

| | | | |
|------------|---------|-------------|----------|
| Clark, Mo. | Gregg | Lamb | Otjen |
| Fulkerson | Howard | Lever | Powers |
| Fuller | Jenkins | McKinney | Sheppard |
| Garrett | Kline | Moon, Tenn. | Sherman |

NOT VOTING—169.

| | | | |
|-----------------|----------------|------------------|------------------|
| Acheson | Deemer | James | Morrell |
| Adams, Pa. | Dovener | Kennedy, Nebr. | Mudd |
| Adams, Wis. | Dresser | Ketcham | Padgett |
| Alexander | Driscoll | Kinkaid | Palmer |
| Allen, N. J. | Edwards | Kitchin, Claude | Parker |
| Andrus | Ellis | Klepper | Parsons |
| Babcock | Field | Knapp | Patterson, Tenn. |
| Bartholdt | Flack | Knopf | Payne |
| Beldler | Flood | Lafean | Pearre |
| Bell, Ga. | Fordney | Lamar | Perkins |
| Bennett, Ky. | Foss | Landis, Chas. B. | Pollard |
| Bingham | Fowler | Law | Pujo |
| Bishop | Gaines, Tenn. | Lawrence | Rainey |
| Blackburn | Garber | Legare | Ransdell, La. |
| Bowersock | Gardner, Mich. | Lilley, Conn. | Reld |
| Bowie | Gardner, N. J. | Lindsay | Reynolds |
| Brooks, Colo. | Gilbert, Ind. | Littauer | Rhinock |
| Broussard | Gilbert, Ky. | Little | Richardson, Ky. |
| Brown | Gillett, Cal. | Littlefield | Rives |
| Burke, S. Dak. | Gillett, Mass. | Lorimer | Ruppert |
| Burleigh | Goebel | Lovering | Schneebell |
| Burleson | Granger | McCall | Scott |
| Burton, Del. | Gronna | McCarthy | Scroggy |
| Butler, Tenn. | Gudger | McDermott | Shartel |
| Ryrd | Haskins | McGavin | Sibley |
| Calder | Hearst | McLain | Slayden |
| Calderhead | Hermann | McMorran | Small |
| Campbell, Kans. | Higgins | McNary | Smith, Ky. |
| Cassel | Hill, Conn. | Mahon | Smith, Samuel W. |
| Cockran | Hill, Miss. | Mann | Smith, Wm. Alden |
| Conner | Hitt | Martin | Snapp |
| Dalzell | Hogg | Maynard | Southall |
| Davey, La. | Houston | Michalek | Southard |
| Davidson | Huff | Minor | Sparkman |
| Davis, W. Va. | Hughes | Moon, Pa. | |
| Dawes | Hull | Moore | |

| | | | |
|-----------------|--------------|-----------|--------------|
| Stafford | Taylor, Ala. | Wadsworth | Welborn |
| Stanley | Thomas, Ohio | Watkins | Wiley, N. J. |
| Stephens, Tex. | Towne | Watson | Wilson |
| Sterling | Trimble | Webb | Wood, Mo. |
| Sullivan, Mass. | Van Duzer | Webber | Woodyard |
| Sullivan, N. Y. | Van Winkle | Weems | Young |
| Tawney | Vreeland | Weisse | |

So the bill was passed.

Mr. GILBERT of Indiana. Mr. Speaker, I want to vote aye. The SPEAKER. Was the gentleman in the Hall of the House when his name was called and did not hear it?

Mr. GILBERT of Indiana. I was just coming in when my name was called. I heard my name.

The SPEAKER. The gentleman is not entitled to vote under the rule.

Mr. GILBERT of Indiana. I was just entering when my name was called.

The SPEAKER. Did the gentleman hear his name?

Mr. GILBERT of Indiana. I heard my name as I entered the door, but I did not know what our vote was.

The SPEAKER. The gentleman heard his name called and did not vote.

Mr. GILBERT of Indiana. That is right.

The SPEAKER. Under the rule the gentleman is not entitled to vote.

Mr. GARRETT. Mr. Speaker, I should like to say that the gentleman from Indiana [Mr. GILBERT] and myself were paired. I answered "present." The gentleman from Indiana entered the door just about as his name was called on the second roll call. He perhaps did not hear it, because he had just entered the Chamber. I am not interested in it myself.

The SPEAKER. Well, the question of pairs is for gentlemen to arrange among themselves.

Mr. GARRETT. It is arranged, and the record is correct. I merely make that statement in justice to the gentleman.

The following additional pairs were announced:

On this vote:

Mr. ALEXANDER with Mr. WEBB.

Mr. CONNER with Mr. SIMS.

Mr. MUDD with Mr. McNARY.

Mr. FOSS with Mr. PUJO.

The vote was then announced as above recorded.

ESTATE OF SAMUEL LEE, DECEASED.

The SPEAKER. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 850)—

Mr. WILLIAMS. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Did I understand the gentleman to move to reconsider?

Mr. MILLER. I did not.

Mr. WILLIAMS. I move to reconsider the vote whereby the bill was passed.

Mr. MILLER. May I inquire of the gentleman from Mississippi if he voted in the affirmative on the last bill?

Mr. WILLIAMS. The "gentleman from Mississippi" did not. The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 850)—

Mr. McNARY. I renew the motion.

Mr. WILLIAMS. Mr. Speaker, the question was asked by the gentleman from Kansas, whether "the gentleman from Mississippi" had voted in the affirmative. Immediately upon that the gentleman from Massachusetts made the motion which the gentleman from Mississippi previously had made.

The SPEAKER. But the vote had been announced prior to that time.

Mr. WILLIAMS. But no motion to reconsider had been made when the announcement was made.

The SPEAKER. Why, the gentleman from Massachusetts did not vote, as it seems from the record.

Mr. McNARY. I was paired in the affirmative. [Cries of "Ah!"]

Mr. PAYNE. Then, of course, he had no right to move to reconsider.

Mr. McNARY. You mean because I was paired I could not vote.

Mr. PAYNE. Not at all.

Mr. McNARY. What rule is there if a man is present that he can not vote?

Mr. PAYNE. Pairs do not count.

The SPEAKER. The gentleman's name is not recorded in the affirmative; and as the Chair understands, it is the RECORD and not the Journal that takes notice of the pairs.

Mr. WILLIAMS. Mr. Speaker—
 The SPEAKER. For what purpose does the gentleman arise?
 Mr. WILLIAMS. I move that the House do now adjourn.
 The SPEAKER. The gentleman from Mississippi moves that the House do now adjourn.
 The question was taken; and the Speaker announced that the "noes" appeared to have it.
 Mr. WILLIAMS. Division, Mr. Speaker.
 Mr. MILLER. I demand the yeas and nays.
 The yeas and nays were ordered.
 The question was taken; and there were—yeas 51, nays 150, answered "present" 16, not voting 164.

YEAS—51.

| | | | |
|--------------|-------------|------------------|----------------|
| Alke | Garner | Lewis | Sims |
| Bankhead | Garrett | Lloyd | Smith, Tex. |
| Bartlett | Gill | McNary | Spight |
| Brooks, Tex. | Glass | Page | Stephens, Tex. |
| Brundidge | Goldfogle | Patterson, S. C. | Sulzer |
| Burgess | Goulden | Pou | Talbot |
| Burnett | Griggs | Richardson, Ala. | Taylor, Ala. |
| Clark, Fla. | Hay | Rixey | Thomas, N. C. |
| Clayton | Henry, Tex. | Robertson, La. | Underwood |
| De Armond | Hopkins | Robinson, Ark. | Wachter |
| Finley | Hunt | Rucker | Webb |
| Fitzgerald | Johnson | Russell | Zenor |
| Floyd | Jones, Va. | Sherley | |

NAYS—150.

| | | | |
|----------------|------------------|-------------------|------------------|
| Adamson | Draper | Kelher | Pollard |
| Alexander | Dunwell | Kennedy, Nebr. | Prince |
| Allen, Me. | Dwight | Kennedy, Ohio | Reeder |
| Ames | Edwards | Kinkaid | Rhodes |
| Bannon | Esch | Knowland | Roberts |
| Bates | Fassett | Lacey | Rodenberg |
| Beall, Tex. | Fletcher | Lamb | Ryan |
| Bennet, N. Y. | Foster, Ind. | Landis, Frederick | Samuel |
| Birdsall | Foster, Vt. | Lawrence | Shackleford |
| Bonyng | French | Lee | Slemp |
| Boutell | Gaines, W. Va. | Le Fevre | Smith, Cal. |
| Bowers | Gardner, Mass. | Lester | Smith, Ill. |
| Bradley | Gardner, Mich. | Lilley, Pa. | Smith, Iowa |
| Brick | Gardner, N. J. | Littlefield | Smith, Samuel W. |
| Brownlow | Gilbert, Ind. | Longworth | Smith, Pa. |
| Buckman | Gillespie | Loudenslager | Smyser |
| Burke, Pa. | Graff | McCleary, Minn. | Southard |
| Butler, Pa. | Graham | McCreary, Pa. | Southwick |
| Calderhead | Grosvenor | McKinlay, Cal. | Sperry |
| Campbell, Ohio | Hale | McKinley, Ill. | Stanley |
| Candler | Hamilton | McKinney | Stevens, Minn. |
| Capron | Hardwick | McLachlan | Sulloway |
| Chaney | Haugen | Macon | Taylor, Ohio |
| Chapman | Hayes | Madden | Thomas, Ohio |
| Cocks | Hedge | Mann | Tirrell |
| Cole | Heflin | Marshall | Townsend |
| Cooper, Pa. | Hepburn | Miller | Tyndall |
| Cooper, Wis. | Hill, Conn. | Mouser | Volstead |
| Cousins | Hinslaw | Mudd | Waldo |
| Cromer | Hoar | Murdoch | Wallace |
| Currier | Holliday | Murphy | Wanger |
| Curtis | Howell, N. J. | Needham | Weeks |
| Dale | Howell, Utah | Nevin | Wharton |
| Davis, Minn. | Hubbard | Norris | Williams |
| Dawson | Humphreys, Miss. | Olcott | Wilson |
| Denby | Jones, Wash. | Olmsted | Young |
| Dixon, Ind. | Kahn | Payne | |
| Dixon, Mont. | Keifer | Perkins | |

ANSWERED "PRESENT"—16.

| | | | |
|------------|-----------------|-------------|------------------|
| Clark, Mo. | Howard | Lever | Patterson, N. C. |
| Fulkerson | Jenkins | McCarthy | Powers |
| Fuller | Kitchin, Wm. W. | Moon, Tenn. | Sheppard |
| Gregg | Kline | Otjen | Sherman |

NOT VOTING—164.

| | | | |
|-----------------|----------------|------------------|------------------|
| Acheson | Cushman | Higgins | Martin |
| Adams, Pa. | Dalzell | Hill, Miss. | Maynard |
| Adams, Wis. | Darragh | Hitt | Meyer |
| Allen, N. J. | Davey, La. | Hogg | Michalek |
| Andrus | Davidson | Houston | Minor |
| Babcock | Davis, W. Va. | Huff | Mondell |
| Barchfeld | Dawes | Hughes | Moon, Pa. |
| Bartholdt | Deemer | Hull | Moore |
| Bede | Dickson, Ill. | Humphrey, Wash. | Morrell |
| Beldler | Dovener | James | Overstreet |
| Bell, Ga. | Dresser | Ketcham | Padgett |
| Bennett, Ky. | Driscoll | Kitchin, Claude | Palmer |
| Bingham | Ellerbe | Klepper | Parker |
| Bishop | Ellis | Knapp | Parsons |
| Blackburn | Field | Knopf | Patterson, Tenn. |
| Bowersock | Flack | Lafan | Pearre |
| Bowie | Flood | Lamar | Pujo |
| Brantley | Fordney | Landis, Chas. B. | Rainey |
| Brooks, Colo. | Foss | Law | Randell, Tex. |
| Broussard | Fowler | Legare | Ransdell, La. |
| Brown | Gaines, Tenn. | Lilley, Conn. | Reid |
| Burke, S. Dak. | Garber | Lindsay | Reynolds |
| Burleigh | Gilbert, Ky. | Littauer | Rhinock |
| Burleson | Gillett, Cal. | Little | Richardson, Ky. |
| Burton, Del. | Gillett, Mass. | Livingston | Rives |
| Burton, Ohio | Goebel | Lorimer | Ruppert |
| Butler, Tenn. | Granger | Loud | Schneebell |
| Byrd | Greene | Lovering | Scott |
| Calder | Gronna | McCall | Scroggy |
| Campbell, Kans. | Gudger | McDermott | Shartel |
| Cassel | Haskins | McGavin | Sibley |
| Cockran | Hearst | McLain | Slayden |
| Conner | Henry, Conn. | McMorran | Small |
| Crumpacker | Hermann | Mahon | Smith, Ky. |

| | | | |
|------------------|-----------------|------------|--------------|
| Smith, Md. | Sterling | Van Winkle | Weisse |
| Smith, Wm. Alden | Sullivan, Mass. | Vreeland | Welborn |
| Snapp | Sullivan, N. Y. | Wadsworth | Wiley, Ala. |
| Southall | Tawney | Watkins | Wiley, N. J. |
| Sparkman | Towne | Watson | Wood, Mo. |
| Stafford | Trimble | Webber | Wood, N. J. |
| Steenerson | Van Duzer | Weems | Woodyard |

So the motion to adjourn was rejected.
 Mr. POLLARD. Mr. Speaker, I wish to change my vote from "aye" to "no."
 The Clerk called the name of Mr. POLLARD, and he answered in the negative.
 Mr. LEWIS. Mr. Speaker, I desire to change my vote from "no" to "aye."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. LEWIS, and he voted in the affirmative.
 Mr. WILLIAMS. Mr. Speaker, I should like to ask how I am recorded.
 The SPEAKER. In the affirmative.
 Mr. WILLIAMS. I should like to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. WILLIAMS, and he answered in the negative.
 Mr. SHACKLEFORD. How am I recorded, Mr. Speaker?
 The SPEAKER. One at a time, and we will all change. [Laughter.]
 Mr. SHACKLEFORD. How am I recorded?
 The SPEAKER. The Clerk in the meantime will announce the additional pairs.
 The Clerk announced the following additional pairs:
 Until further notice:
 Mr. FOSS with Mr. MEYER.
 Mr. GREENE with Mr. PATTERSON of North Carolina.
 For the balance of this day:
 Mr. BISHOP with Mr. SMITH of Maryland.
 Mr. CONNER with Mr. ELLERBE.
 Mr. DRESSER with Mr. PUJO.
 Mr. DICKSON of Illinois with Mr. WILLIAM W. KITCHIN.
 On this vote:
 Mr. TAWNEY with Mr. BURLESON.
 Mr. BROOKS of Colorado with Mr. GREGG.
 Mr. McMORRAN with Mr. SULLIVAN of Massachusetts.
 Mr. HAY. Mr. Speaker—
 The SPEAKER. One moment, until we get through with the gentleman from Missouri [Mr. SHACKLEFORD].
 Mr. SHACKLEFORD. How am I recorded, Mr. Speaker?
 The SPEAKER. In the affirmative.
 Mr. SHACKLEFORD. I desire to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. SHACKLEFORD, and he voted in the negative.
 Mr. GRAHAM. Mr. Speaker, I desire to change my vote from "no" to "aye."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. GRAHAM, and he voted in the affirmative.
 Mr. BEDE. Mr. Speaker, I should like to vote.
 The SPEAKER. Was the gentleman present and listening when his name should have been called?
 Mr. BEDE. I was listening—
 The SPEAKER. The gentleman can not vote, under the rule.
 Mr. OLMSTED. I desire to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. OLMSTED, and he voted in the negative.
 Mr. DIXON of Indiana. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. DIXON of Indiana. I should like to vote in the negative.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. DIXON of Indiana, and he voted in the negative.
 Mr. WALLACE. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. WALLACE. I wish to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. WALLACE, and he voted in the negative.
 Mr. BEALL of Texas. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. BEALL of Texas. I desire to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. BEALL of Texas, and he voted in the negative.

Mr. RYAN. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. RYAN. I desire to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. RYAN, and he voted in the negative.
 Mr. BOWERS. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. BOWERS. I desire to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. BOWERS, and he answered in the negative.
 Mr. HEFLIN. Mr. Speaker, I should like to know how I am recorded?
 The SPEAKER. In the affirmative.
 Mr. HEFLIN. I wish to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. HEFLIN, and he answered in the negative.
 Mr. CANDLER. Mr. Speaker, I should like to know how I am recorded?
 The SPEAKER. In the affirmative.
 Mr. CANDLER. I wish to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. CANDLER, and he voted in the negative.
 Mr. MACON. I should like to know how I am recorded?
 The SPEAKER. In the affirmative.
 Mr. MACON. I desire to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. MACON, and he voted in the negative.
 Mr. STANLEY. I should like to ask how I am recorded?
 The SPEAKER. In the affirmative.
 Mr. STANLEY. I should like to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. STANLEY, and he voted in the negative.
 Mr. GILLESPIE. Mr. Speaker, I should like to inquire how I am recorded.
 The SPEAKER. In the affirmative.
 Mr. GILLESPIE. I should like to change my vote from "aye" to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. GILLESPIE, and he voted in the negative.
 Mr. SHEPPARD. Mr. Speaker, I should like to inquire if the gentleman from Michigan [Mr. WM. ALDEN SMITH] voted?
 The SPEAKER. He did not.
 Mr. SHEPPARD. How am I recorded?
 The SPEAKER. The gentleman is recorded as "present."
 Mr. SHEPPARD. That is all right.
 Mr. ADAMSON. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. ADAMSON. I do not feel at all satisfied, and wish to change that vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. ADAMSON, and he voted in the negative.
 Mr. HAY. Mr. Speaker, I desire to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. HAY, and he voted in the negative.
 Mr. KELIHER. Mr. Speaker, how am I recorded?
 The SPEAKER. In the affirmative.
 Mr. KELIHER. I desire to change my vote to "no."
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. KELIHER, and he voted in the negative.
 Mr. KLINE. I am paired with the gentleman from Pennsylvania [Mr. DEEMER]. I desire to know how I am recorded.
 The SPEAKER. Did the gentleman vote?
 Mr. KLINE. I did; I voted "present."
 The SPEAKER. The gentleman is recorded "present."
 Mr. HUMPHREYS of Mississippi. I should like to ask how I am recorded.
 The SPEAKER. In the affirmative.
 Mr. HUMPHREYS of Mississippi. I desire to change my vote.
 The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. HUMPHREYS of Mississippi, and he voted in the negative.

Mr. BURLESON. I should like to know if I am recorded as voting?
 The SPEAKER. The gentleman is not recorded.
 Mr. BURLESON. In order to be sure that there is a quorum present—
 The SPEAKER. On this question, the ayes are 51, the noes are 150. The noes have it, and the House refuses to adjourn.
 ESTATE OF SAMUEL LEE, DECEASED.
 Mr. MILLER. Mr. Speaker, I move the previous question on the bill H. R. 850 and the amendments to its final passage.
 The SPEAKER. The gentleman from Kansas moves the previous question on the bill and amendments to its final passage.
 Mr. WILLIAMS. Mr. Speaker, on that bill I desire to raise the question of consideration.
 Mr. GROSVENOR. To that I make a point of order.
 The SPEAKER. The Chair sustains the point of order.
 Mr. WILLIAMS. Upon what ground does the Chair sustain the point of order?
 The SPEAKER. On the ground that it is evidently dilatory.
 Mr. KAHN. Mr. Speaker, I demand the yeas and nays.
 The yeas and nays were ordered.
 The question was taken; and there were—yeas 135, nays 62, answered "present" 19, not voting 165, as follows:

YEAS—135.

| | | | |
|----------------|----------------|-------------------|------------------|
| Adams, Wis. | Dale | Hubbard | Perkins |
| Alexander | Darragh | Jones, Wash. | Pollard |
| Allen, Me. | Davis, Minn. | Kahn | Prince |
| Ames | Dawson | Keifer | Reeder |
| Bannon | Denby | Kennedy, Nebr. | Rhodes |
| Barchfeld | Dixon, Mont. | Kennedy, Ohio | Rodenberg |
| Bates | Draper | Knowland | Samuel |
| Bode | Dunwell | Lacey | Slomp |
| Bennet, N. Y. | Dwight | Landis, Frederick | Smith, Cal. |
| Bennett, Ky. | Edwards | Lawrence | Smith, Ill. |
| Birdsall | Esch | Le Fevre | Smith, Iowa |
| Bonyng | Fassett | Lilley, Pa. | Smith, Samuel W. |
| Boutell | Fletcher | Longworth | Smith, Pa. |
| Bradley | Foster, Ind. | Loudenslager | Smyser |
| Brick | French | McCarthy | Southard |
| Brownlow | Gaines, W. Va. | McCreary, Pa. | Southwick |
| Buckman | Gardner, Mass. | McGavin | Sperry |
| Burke, Pa. | Gardner, Mich. | McKinlay, Cal. | Steenerson |
| Burton, Ohio | Gardner, N. J. | McKinney | Sterling |
| Campbell, Ohio | Gilbert, Ind. | McLachlan | Stevens, Mtnn. |
| Capron | Graham | Madden | Sulloway |
| Cassel | Grosvenor | Marshall | Taylor, Ohio |
| Chaney | Hale | Miller | Thomas, Ohio |
| Chapman | Hamilton | Mouser | Tirrell |
| Cocks | Haugen | Mudd | Townsend |
| Cole | Hayes | Murdoch | Tyndall |
| Cooper, Pa. | Hedge | Murphy | Volstead |
| Cooper, Wis. | Hepburn | Needham | Waldo |
| Cousins | Higgins | Nevin | Wanger |
| Cromer | Hill, Conn. | Norris | Weeks |
| Crumpacker | Hinshaw | Olcott | Wharton |
| Currier | Hoar | Olmsted | Wilson |
| Curtis | Holliday | Overstreet | Young |
| Cushman | Howell, N. J. | Payne | |

NAYS—62.

| | | | |
|--------------|-------------|------------------|----------------|
| Adamson | Finley | Humphreys, Miss. | Robinson, Ark. |
| Alken | Fitzgerald | Johnson | Rucker |
| Bankhead | Floyd | Jones, Va. | Russell |
| Beall, Tex. | Garner | Kelher | Sherley |
| Bowers | Garrett | Lee | Sims |
| Brantley | Gill | Lester | Smith, Tex. |
| Brooks, Tex. | Gillespie | Lewis | Splight |
| Brundidge | Goldfogle | Livingston | Stephens, Tex. |
| Burgess | Gouldea | Lloyd | Thomas, N. C. |
| Burnett | Granger | McNary | Underwood |
| Candler | Griggs | Macon | Wallace |
| Clark, Fla. | Hardwick | Page | Webb |
| Clayton | Hay | Patterson, S. C. | Wiley, Ala. |
| De Armond | Heflin | Pou | Zenor |
| Dixon, Ind. | Henry, Tex. | Richardson, Ala. | |
| Ellerbe | Hopkins | Robertson, La. | |

ANSWERED "PRESENT"—19.

| | | | |
|-----------|-----------------|-------------|------------------|
| Bartlett | Henry, Conn. | Lamb | Patterson, N. C. |
| Burleson | Howard | Lever | Powers |
| Fulkerson | Jenkins | Meyer | Sheppard |
| Fuller | Kitchin, Wm. W. | Moon, Tenn. | Sherman |
| Gregg | Kline | Otjen | |

NOT VOTING—165.

| | | | |
|----------------|-----------------|----------------|------------------|
| Acheson | Butler, Tenn. | Flack | Hill, Miss. |
| Adams, Pa. | Byrd | Flood | Hitt |
| Allen, N. J. | Calder | Fordney | Hogg |
| Andrus | Calderhead | Foss | Houston |
| Babcock | Campbell, Kans. | Foster, Vt. | Howell, Utah |
| Bartholdt | Clark, Mo. | Fowler | Huff |
| Beidler | Cockran | Gaines, Tenn. | Hughes |
| Bell, Ga. | Conner | Garber | Hull |
| Bingham | Dalzell | Gilbert, Ky. | Humphrey, Wash. |
| Bishop | Davey, La. | Gillett, Cal. | Hunt |
| Blackburn | Davidson | Gillett, Mass. | James |
| Bowersock | Davis, W. Va. | Glass | Ketcham |
| Bowie | Dawes | Goebel | Kinkaid |
| Brooks, Colo. | Deemer | Graff | Kitchin, Claude |
| Broussard | Dickson, Ill. | Greene | Klepper |
| Brown | Dovener | Gronna | Knapp |
| Burke, S. Dak. | Dresser | Gudger | Knopf |
| Burleigh | Driscoll | Haskins | Lafean |
| Burton, Del. | Ellis | Hearst | Lamar |
| Butler, Pa. | Field | Hermann | Landis, Chas. B. |

| | | | |
|-----------------|------------------|------------------|--------------|
| Law | Mondell | Ryan | Taylor, Ala. |
| Legare | Moon, Pa. | Schneebell | Towne |
| Lilley, Conn. | Moore | Scott | Trimble |
| Lindsay | Morrell | Scroggy | Van Duzer |
| Littauer | Padgett | Shackleford | Van Winkle |
| Little | Palmer | Shartel | Vreeland |
| Littlefield | Parker | Sibley | Wachter |
| Lorimer | Parsons | Slayden | Wadsworth |
| Loud | Patterson, Tenn. | Small | Watkins |
| Lovering | Pearre | Smith, Ky. | Watson |
| McCall | Pujo | Smith, Md. | Webber |
| McCleary, Minn. | Rainey | Smith, Wm. Alden | Weems |
| McDermott | Randell, Tex. | Snapp | Weisse |
| McKinley, Ill. | Ransdell, La. | Southall | Welborn |
| McLain | Reid | Sparkman | Wiley, N. J. |
| McMorran | Reynolds | Stafford | Williams |
| Mahon | Rhinock | Stanley | Wood, Mo. |
| Mann | Richardson, Ky. | Sullivan, Mass. | Wood, N. J. |
| Martin | Rives | Sullivan, N. Y. | Woodyard |
| Maynard | Rixey | Sulzer | |
| Michalek | Roberts | Talbott | |
| Minor | Ruppert | Tawney | |

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:

Mr. BUTLER of Pennsylvania with Mr. BARTLETT.

Mr. ALEXANDER with Mr. CLAYTON.

For the balance of the day:

Mr. WILEY of New Jersey with Mr. BUTLER of Tennessee.

Mr. GILLET of California with Mr. SULZER.

Mr. WACHTER with Mr. TALBOTT.

Mr. VAN WINKLE with Mr. RYAN.

Mr. GOEBEL with Mr. GLASS.

Mr. COUSINS with Mr. RIXEY.

On this vote:

Mr. MONDELL with Mr. RANDELL of Texas.

Mr. GRAFF with Mr. WILLIAMS.

Mr. BROOKS of Colorado with Mr. GREGG.

Mr. TAWNEY with Mr. MANN.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the amendment.

Mr. WILLIAMS. One moment, Mr. Speaker; is the Chair about to put the amendments in gross? I want a separate vote on each amendment.

The SPEAKER. The amendment to the title will come after the passage of the bill. There is an amendment to strike out and insert, and under the rule that is not divisible, so that there is really only one amendment to the bill.

Mr. GOLDFOGLE. Mr. Speaker, I ask that the amendment be again reported.

The SPEAKER. Without objection, the Clerk will again report the amendment.

There being no objection, the Clerk read the amendment.

Mr. GOLDFOGLE. Mr. Speaker, I want to ask the chairman of the committee whether the present names in the amendment—

The SPEAKER. The gentleman from New York is not in order; the previous question has been ordered.

Mr. GOLDFOGLE. I ask unanimous consent that I be permitted to ask the chairman of the committee—

Mr. PAYNE. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from New York calls for the regular order, which is, in effect, an objection. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I demand a division.

Mr. MILLER. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 119, nays 40, answered "present" 21, not voting 202, as follows:

YEAS—119.

| | | | |
|----------------|----------------|-------------------|----------------|
| Adams, Wis. | Cooper, Wis. | Gardner, N. J. | Loudenslager |
| Alexander | Cromer | Graff | McGavin |
| Allen, Me. | Crumpacker | Graham | McKinlay, Cal. |
| Bannon | Currier | Grosvenor | McKinley, Ill. |
| Beall, Tex. | Curtis | Hale | McKinney |
| Bede | Cushman | Hayes | McLachlan |
| Bennet, N. Y. | Darragh | Hepburn | Marshall |
| Birdsall | Davis, Minn. | Higgins | Miller |
| Bonyng | Dawson | Hoar | Mondell |
| Boutell | Denby | Holliday | Mouser |
| Bradley | Dixon, Mont. | Howell, N. J. | Mudd |
| Brick | Draper | Hubbard | Murdock |
| Brownlow | Dunwell | Jones, Wash. | Murphy |
| Buckman | Dwight | Kahn | Needham |
| Burton, Ohio | Edwards | Keifer | Nevin |
| Campbell, Ohio | Esch | Kennedy, Nebr. | Norris |
| Capron | Fassett | Kennedy, Ohio | Olcott |
| Cassel | Fletcher | Knowland | Olmsted |
| Chaney | Foster, Ind. | Lacey | Ovinstreet |
| Chapman | Foster, Vt. | Landis, Frederick | Payne |
| Cocks | French | Lawrence | Perkins |
| Cole | Gardner, Mass. | Lilley, Pa. | Prince |
| Cooper, Pa. | Gardner, Mich. | Longworth | Reeder |

| | | | |
|------------------|------------|----------------|----------|
| Rhodes | Smith, Pa. | Stevens, Minn. | Volstead |
| Samuel | Smyser | Suloway | Waldo |
| Samuel | Snapp | Taylor, Ohio | Wanger |
| Smith, Cal. | Southard | Thomas, Ohio | Weeks |
| Smith, Ill. | Southwick | Tirrell | Wharton |
| Smith, Iowa | Sperry | Townsend | Wilson |
| Smith, Samuel W. | Sterling | Tyndall | |

NAYS—40.

| | | | |
|---------------|-------------|------------------|------------------|
| Adamson | Finley | Hunt | Richardson, Ala. |
| Aiken | Floyd | Johnson | Robinson, Ark. |
| Brantley | Goldfogle | Kellher | Rucker |
| Broocks, Tex. | Goulden | Lee | Sherley |
| Burleson | Granger | Lester | Smith, Tex. |
| Burnett | Griggs | Lewis | Stanley |
| Candler | Hardwick | Lloyd | Thomas, N. C. |
| Clayton | Heffin | Macon | Wiley, Ala. |
| De Armond | Henry, Tex. | Patterson, S. C. | Williams |
| Dixon, Ind. | Hopkins | Pou | Zenor |

ANSWERED "PRESENT"—21.

| | | | |
|-----------|-----------------|-------------|-------------|
| Foss | Henry, Conn. | Lever | Sheppard |
| Fulkerson | Howard | Livingston | Sherman |
| Fuller | Jenkins | McCarthy | The Speaker |
| Garrett | Kitchin, Wm. W. | Mann | |
| Gregg | Kline | Moon, Tenn. | |
| Hedge | Lamb | Otjen | |

NOT VOTING—202.

| | | | |
|-----------------|------------------|------------------|------------------|
| Acheson | Ellerbe | Landis, Chas. B. | Rodenberg |
| Adams, Pa. | Ellis | Law | Ruppert |
| Allen, N. J. | Field | Le Fevre | Russell |
| Ames | Fitzgerald | Legare | Ryan |
| Andrus | Flack | Lilley, Conn. | Schneebell |
| Babcock | Flood | Lindsay | Scott |
| Bankhead | Fordney | Littauer | Scroggy |
| Barchfeld | Fowler | Little | Shackleford |
| Bartholdt | Gaines, Tenn. | Littlefield | Shartel |
| Bartlett | Gaines, W. Va. | Lorimer | Sibley |
| Bates | Garber | Loud | Sims |
| Beidler | Garner | Lovering | Slayden |
| Bell, Ga. | Gilbert, Ind. | McCall | Small |
| Bennett, Ky. | Gilbert, Ky. | McCleary, Minn. | Smith, Ky. |
| Bingham | Gill | McCreary, Pa. | Smith, Md. |
| Bishop | Gillespie | McDermott | Smith, Wm. Alden |
| Blackburn | Gillett, Cal. | McLain | Southall |
| Bowers | Gillett, Mass. | McMorran | Sparkman |
| Bowersock | Glass | McNary | Spight |
| Bowie | Goebel | Madden | Stafford |
| Brooks, Colo. | Greene | Mahon | Steenerson |
| Brotzard | Gronna | Martin | Stephens, Tex. |
| Brown | Gudger | Maynard | Sullivan, Mass. |
| Brundidge | Hamilton | Meyer | Sullivan, N. Y. |
| Burgess | Haskins | Michalek | Sulzer |
| Burke, Pa. | Haugen | Minor | Talbott |
| Burke, S. Dak. | Hay | Moon, Pa. | Tawney |
| Burleigh | Hearst | Moore | Taylor, Ala. |
| Burton, Del. | Hermann | Morrell | Towne |
| Butler, Pa. | Hill, Conn. | Padgett | Trimble |
| Butler, Tenn. | Hill, Miss. | Page | Underwood |
| Byrd | Hinshaw | Palmer | Van Duzer |
| Calder | Hitt | Parker | Van Winkle |
| Calderhead | Hogg | Parsons | Vreeland |
| Campbell, Kans. | Houston | Patterson, N. C. | Wachter |
| Clark, Fla. | Howell, Utah | Patterson, Tenn. | Wadsworth |
| Clark, Mo. | Huff | Pearre | Wallace |
| Cockran | Hughes | Pollard | Watkins |
| Conner | Hull | Powers | Watson |
| Cousins | Humphrey, Wash. | Pujo | Webb |
| Dale | Humphreys, Miss. | Rainey | Webber |
| Dalzell | James | Randell, Tex. | Weems |
| Davey, La. | Jones, Va. | Ransdell, La. | Weisse |
| Davidson | Ketcham | Reid | Welborn |
| Davis, W. Va. | Kinkaid | Reynolds | Wiley, N. J. |
| Dawes | Kitchin, Claude | Rhinock | Wood, Mo. |
| Deemer | Klepper | Richardson, Ky. | Wood, N. J. |
| Dickson, Ill. | Knapp | Rives | Woodyard |
| Dovener | Knopf | Rixey | Young |
| Dresser | Lafean | Roberts | |
| Driscoll | Lamar | Robertson, La. | |

The Clerk announced the following additional pairs:

For the vote:

Mr. BARCHFELD with Mr. UNDERWOOD.

Mr. BROOKS of Colorado with Mr. GREGG.

Mr. GILBERT of Indiana with Mr. FITZGERALD.

For the balance of the day:

Mr. BENNETT of Kentucky with Mr. WALLACE.

Mr. MCCALL with Mr. SPIGHT.

Mr. AMES with Mr. CLARK of Florida.

Mr. BATES with Mr. BURGESS.

Mr. CALDER with Mr. GILLESPIE.

Mr. CALDERHEAD with Mr. HAY.

Mr. DALE with Mr. HEFLIN.

Mr. HAMILTON with Mr. HUMPHREYS of Mississippi.

Mr. HAUGEN with Mr. McNARY.

Mr. HILL of Connecticut with Mr. RANDELL of Texas.

Mr. HINSHAW with Mr. RUSSELL.

Mr. KINKAID with Mr. SHACKLEFORD.

Mr. HEDGE with Mr. BRUNDIDGE.

Mr. RODENBERG with Mr. ROBERTSON of Louisiana.

Mr. MCCREARY of Pennsylvania with Mr. SIMS.

The SPEAKER. The Chair notes the presence of the gentleman from Minnesota, Mr. STEENERSON. The Clerk will call his name.

The Clerk called the name of Mr. STEENERSON, and he answered "present."

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CANNON, and he answered "present."

Mr. MADDEN. Mr. Speaker, I desire to be recorded as present.

The SPEAKER. The Clerk will call the gentleman's name. The Clerk called the name of Mr. MADDEN, and he answered "present."

Mr. WILLIAMS. Mr. Speaker, under what rule of the House is this proceeding? The roll has been called; the roll has been terminated. What right has any Member of the House to come up afterwards and be recorded?

The SPEAKER. The Clerk will read section 2 of Rule XV. The Clerk read as follows:

In the absence of a quorum, fifteen Members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent Members, and in all calls of the House the doors shall be closed, the names of the Members shall be called by the Clerk, and the absentees noted; and those for whom no sufficient excuse is made may, by order of majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise directs, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

Mr. WILLIAMS. Mr. Speaker, that rule is familiar, but it is absolutely inapplicable now. There has been no point of no quorum thus far raised. There has been no order to close the doors and to call for a quorum, and that rule is applicable only to that stage of the House's proceedings, and not to the present stage.

The SPEAKER. The Clerk will also read clause 3 of Rule XV.

The Clerk read as follows:

On the demand of any Member, or at the suggestion of the Speaker, the names of Members sufficient to make a quorum in the Hall of the House who do not vote, shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the Members voting and be counted and announced in determining the presence of a quorum to do business.

The SPEAKER. The Clerk will also read section 1.

The Clerk read as follows:

Upon every roll call the names of the Members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such Members from the same State, the whole name shall be called; and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair unless the Member's name has been noted under clause 3 of this rule.

Mr. WILLIAMS. Now, Mr. Speaker—

The SPEAKER. One moment.

Mr. WILLIAMS. That limits the situation to the case where the Member's name has been noted under clause 3, but it does not apply to this situation at all.

The SPEAKER. So far the Chair has noted the gentleman from Minnesota—

Mr. WILLIAMS. No suggestion of the absence of a quorum has been made to the House by the Chair or anyone—

The SPEAKER. The Chair knows from the record.

Mr. PAYNE. The Speaker can make that suggestion. It is not kind of the gentleman from Mississippi at all—

Mr. WILLIAMS. But the Speaker has not made it. Mr. Speaker, the rules contemplate not a private order by the Speaker to the clerks of this House, but a suggestion to the House. [Applause on the Democratic side.] And the Speaker has never made any such suggestion. Certainly the rule which says "upon the suggestion" of any Member or the Speaker meant a suggestion to the House, not to the clerical officials of the House.

The SPEAKER. It is an immaterial contention. The Clerk will erase the names of Mr. STEENERSON and Mr. MADDEN from the roll and note them as being present, and give the Chair—

Mr. WILLIAMS. Now, Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Well, the Chair must have a minute to ascertain the status of the vote.

Mr. WILLIAMS. Ah, but the Chair is not ruling; the Chair is acting.

The SPEAKER. Precisely; and the Chair in his action will submit it to the House a little later on.

Mr. WILLIAMS. But, if the Speaker please, when the rules provide that certain things shall be done upon the suggestion of a lack of a quorum, then it is upon that contingency, and upon that alone, that the things can be done, and the Speaker has not yet even suggested the lack of a quorum to the House.

The SPEAKER. The Chair will announce the vote. On this vote the ayes are 118, and the noes are 40, answering present 22, and the Chair, under clause 3 of Rule XV, announces the presence of the following gentlemen whom the Clerk will report. The Clerk read as follows:

Messrs. BOWERS, CLARK of Missouri, ELLERBE, GARNER, GILL, GILLESPIE, McNARY, RANDELL of Texas, RUSSELL, SHACKLEFORD, SULLIVAN of Massachusetts, SIMS, WALLACE, HAMILTON, STEENERSON, MADDEN, and BARCHFELD.

Mr. WILLIAMS. Now, Mr. Speaker—

The SPEAKER. Also note the presence of Mr. McCLEARY of Minnesota, Mr. TAWNEY, and Mr. HOWELL of Utah, in addition to those already read, and then the Chair will make a revised announcement.

Mr. WILLIAMS. Mr. Speaker, I want to be heard on what the Chair has done.

The SPEAKER. One moment.

Mr. WILLIAMS. Now, I submit—

Mr. KEIFER. Regular order!

The SPEAKER. The gentleman is not losing any right as a Representative. Upon this vote the yeas are 118, the nays are 40, answering present 22, and noted as present by the Speaker, under Rule XV, 20 gentlemen whose names have been announced; in all, 200, a quorum, and the yeas have it.

Mr. WILLIAMS. Now, Mr. Speaker, I make the point of order because I want a ruling upon it, and I do not think the Chair will differ with me about the facts. I make the point of order that in the absence—

Mr. GROSVENOR. The gentleman can not make the point of order—

Mr. WILLIAMS. I am making a point of order, and the gentleman can not tell whether it is a good point of order until he hears it.

The SPEAKER. The gentleman arises, as he states, to a point of order, and the Chair—

Mr. WILLIAMS. Affecting the result of the vote.

The SPEAKER (continuing). Will through courtesy listen to the gentleman.

Mr. WILLIAMS. Yes; and I hope not only through courtesy, but through a desire to do right, and I know that. Now, Mr. Speaker, the point of order is this, that without any suggestion to the House having been made at all of the absence of a quorum and at a state of the roll call when it was impossible for the Speaker or anybody else to know whether there was going to be disclosed the fact of a quorum or of no quorum, the Speaker in several of these cases noted gentlemen as being present in the Hall at the beginning of the roll call, when there was not only no suggestion of the absence of a quorum, but when the Speaker himself neither knew nor could have known that there would be the absence of a quorum. I recall notably the name of the gentleman from Mississippi [Mr. BOWERS] and the gentleman from Missouri [Mr. CLARK].

The SPEAKER. The Chair is prepared to rule. Clause 3 of Rule XV the Chair will read, instead of having it read as formerly. It states:

On the demand of any Member, or at the suggestion of the Speaker, the names of Members sufficient to make a quorum in the Hall of the House who do not vote, shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the Members voting and be counted and announced in determining the presence of a quorum to do business.

[Applause on the Republican side.]

The Chair has faithfully followed the rule, and again announces, as he announced before—

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair again announces the result of the vote and the presence of the gentlemen whose names have been noted heretofore and are to go upon the Journal; and those voting "aye" and those voting "no," those answering "present" and those noted literally under clause 3 of Rule XV, number 200—a quorum. The ayes have it, and the question is upon the engrossment and third reading of the bill. [Applause on the Republican side.]

Mr. WILLIAMS. This is not the first time in the history of the world that men have applauded when—

Mr. PAYNE. Mr. Speaker, I demand the regular order. [Cries of "Regular order!"]

Mr. WILLIAMS. Mr. Speaker, I want now to propound a parliamentary inquiry. I rise to the question of privilege of the House. [Cries of "Regular order!"]

Mr. WILLIAMS. I am "in the regular order." Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will suspend. All gentlemen will be seated. The vote has been announced, a quorum is present, and the next step under the operation of the previous question is, Shall the bill be engrossed and read a third time?

Mr. WILLIAMS. Mr. Speaker, a question of privilege.

Mr. KEIFER. Regular order!

Mr. WILLIAMS. And of the highest privilege at that.

The SPEAKER. The gentleman will state his question of privilege.

Mr. WILLIAMS. I will state it. As I am informed by him, the gentleman from Texas [Mr. SHEPPARD], as an instance of the effect of this ruling, is recorded twice—once as answering "present" and once as being noted "present." I mention this as a commentary upon the manner in which it is done.

The SPEAKER. The gentleman from Texas [Mr. SHEPPARD] is not upon the list which the Chair announced.

Mr. SHEPPARD. The Chair read my name on the list. [Cries of "Oh, no!"]

Mr. SHEPPARD. He did.

The SPEAKER. As a question of fact the name of the gentleman is not upon the list, and, if it had been, there is still a quorum—199.

Mr. WILLIAMS. A parliamentary inquiry now, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. I understand the Speaker to have ruled that the Chair need not make the suggestion of the absence of a quorum to the House, but that he can make it to the Clerk. Now, then, this is my inquiry—whether the rule requires that the Speaker or one of his clerks shall count a quorum.

Mr. KEIFER. That rule has been read two or three times.

Mr. PAYNE. Mr. Speaker, I suggest that a copy of the rules be furnished the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Now, then, I leave the matter of fact to the Speaker as to whether it was the Speaker or his parliamentary clerk who noted the presence of Members supposed to be present by that report. I know that the counting is a duty devolving on the Speaker personally.

The SPEAKER. The Chair in this matter of an ascertainment of a quorum is exercising his best vigilance and discretion, and all things that have happened in the ascertainment of a quorum the Chair is responsible for. [Applause on the Republican side.]

Mr. WILLIAMS. Oh, of course. [Cries of "Regular order!"]

Now, the Speaker having overruled the point of order which I made, I now respectfully appeal from the decision of the Chair; and that is not dilatory.

Mr. PAYNE. I make the point that it is dilatory—plainly.

Mr. WILLIAMS. It is not dilatory.

The SPEAKER. There is nothing to appeal from; and if there was something at this stage to appeal from, the Chair, under another rule of the House, would sustain the point of order that the appeal is dilatory.

Mr. WILLIAMS. Well, then the Chair would sustain a thing based on no fact—

Mr. PAYNE (and others). Regular order!

Mr. WILLIAMS (continuing). Founded upon no fact; and the Chair ought to know it—

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. WILLIAMS (continuing). Because I do not believe the Chair has ruled correctly, and until the House has denounced it, I respectfully appeal from the decision of the Chair. [Cries of "Regular order!"]

The SPEAKER. The question—with all due courtesy and respect to the gentleman, the question is upon the engrossment and third reading of the bill. [Applause on the Republican side.]

Mr. WILLIAMS. Mr. Speaker, the regular order is upon the appeal from the decision of the Chair—

Mr. OLMSTED. A parliamentary inquiry is never subject to appeal.

Mr. WILLIAMS (continuing). That the Chair can make the suggestion of the absence of a quorum to the clerks instead of to the House.

The SPEAKER. On the contrary, there can be no appeal from a fact ascertained under the rules or on a parliamentary inquiry.

Mr. WILLIAMS. There can not be that. [Cries of "Regular order!"] But there can be an appeal from the manner of ascertaining the fact, and there can be an appeal from an exercise of authority in a contingency where no authority is vested in the Speaker.

The SPEAKER. The Chair again suggests that he is responsible for the action that has been had under the roll call, under the rules, with the presence of 200 Members.

Mr. WILLIAMS. The Speaker then declines to permit the House to pass upon his ruling?

Mr. KEIFER. He has no power if he wanted to.

The SPEAKER. The Chair does decline, simply because it is a question of fact to be shown by the Journal; and there can be no appeal touching such a question.

Mr. WILLIAMS. But does not the Speaker see that there is a difference of opinion as to his right to count under these circumstances?

Mr. PAYNE. Well, I demand the regular order.

The SPEAKER. One moment.

Mr. WILLIAMS. The Chair has enough authority to protect himself without the aid of the gentleman.

Mr. PAYNE. I do not know. The gentleman from Mississippi seems to think he has it all.

Mr. WILLIAMS. The gentleman from Mississippi does not seem to think anything of the kind. He is not of the sort who "seem to think." He thinks. The gentleman from New York seems to think.

The SPEAKER. The Chair has already ruled in the premises and declines to entertain the appeal for the reasons specified. [Cries of "Regular order!"] The question is on the engrossment and third reading of the bill. As many as are in favor—

Mr. BEALL of Texas. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? Mr. BEALL of Texas. For the purpose of moving to reconsider the vote by which the amendment was agreed to.

Mr. MILLER. I make the point of order that that is dilatory.

The SPEAKER. The Chair sustains the point of order.

Mr. WILLIAMS. Now, Mr. Speaker— [Cries of "Vote!"]

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS and Mr. BEALL of Texas. Division!

Mr. MILLER. I call for the yeas and nays.

The SPEAKER. On this question the ayes are 130, the noes 40; not a quorum. The doors will be closed. The yeas and nays will be called. Those in favor of the engrossment and third reading of the bill, as their names are called, will answer "yea;" those opposed will answer "nay;" those not voting will answer "present;" and the Sergeant-at-Arms will bring in the absentees. The Clerk will call the roll. [Applause on the Republican side.]

The question was taken; and there were—yeas 125, nays 44, answered "present" 28, not voting 185, as follows:

YEAS—125.

| | | | |
|----------------|----------------|-------------------|------------------|
| Adams, Wis. | Darragh | Keifer | Prince |
| Alexander | Davis, Minn. | Kennedy, Nebr. | Reeder |
| Allen, Me. | Dawson | Kennedy, Ohio | Rhodes |
| Ames | Denby | Knowland | Samuel |
| Bannon | Dixon, Mont. | Lacey | Smith, Cal. |
| Barchfeld | Draper | Landis, Frederick | Smith, Ill. |
| Bede | Dunwell | Lawrence | Smith, Iowa |
| Bennet, N. Y. | Dwight | Le Fevre | Smith, Samuel W. |
| Bennett, Ky. | Edwards | Longworth | Smith, Pa. |
| Birdsall | Fassett | Loudenslager | Smyser |
| Bonyng | Fletcher | McCarthy | Snapp |
| Boutell | Foster, Ind. | McCleary, Minn. | Southard |
| Bradley | Foster, Vt. | McGavin | Southwick |
| Brick | French | McKinlay, Cal. | Sperry |
| Brooks, Colo. | Gaines, W. Va. | McKinley, Ill. | Steenerson |
| Brownlow | Gardner, Mass. | McKinney | Sterling |
| Buckman | Gardner, Mich. | McLachlan | Stevens, Minn. |
| Burke, Pa. | Graham | Marshall | Sulloway |
| Burton, Ohio | Grosvenor | Miller | Taylor, Ohio |
| Campbell, Ohio | Hale | Mondell | Thomas, Ohio |
| Capron | Hamilton | Mouser | Tirrell |
| Chaney | Hayes | Mudd | Townsend |
| Chapman | Hepburn | Murdoch | Tyndall |
| Cocks | Higgins | Needham | Volstead |
| Cole | Hinshaw | Nevin | Waldo |
| Cooper, Pa. | Hoar | Norris | Weeks |
| Cooper, Wis. | Holliday | Olcott | Wharton |
| Cromer | Howell, N. J. | Olmsted | Wilson |
| Crumacker | Howell, Utah | Overstreet | Wood, N. J. |
| Curtis | Hubbard | Parker | |
| Cushman | Jones, Wash. | Payne | |
| Dale | Kahn | Pollard | |

NAYS—44.

| | | | |
|---------------|-------------|------------------|-----------------|
| Beall, Tex. | Goldfogle | Lee | Sherley |
| Brantley | Goulden | Lester | Smith, Tex. |
| Broocks, Tex. | Granger | Lewis | Stanley |
| Burleson | Gregg | Macon | Sullivan, Mass. |
| Burnett | Griggs | Page | Taylor, Ala. |
| Clayton | Hardwick | Patterson, S. C. | Thomas, N. C. |
| De Armond | Hellin | Pou | Wallace |
| Dixon, Ind. | Henry, Tex. | Richardson, Ala. | Wiley, Ala. |
| Floyd | Hunt | Robinson, Ark. | Williams |
| Garner | Johnson | Rucker | Young |
| Garrett | Keliber | Shackleford | Zenor |

ANSWERED "PRESENT"—28.

| | | | |
|-----------|-----------------|-------------|-------------|
| Bartlett | Henry, Conn. | Lever | Perkins |
| Cousins | Hill, Conn. | Lilley, Pa. | Sheppard |
| Finley | Howard | Madden | Sherman |
| Foss | Jenkins | Mann | Tawney |
| Fulkerson | Kitchin, Wm. W. | Moon, Tenn. | Wadsworth |
| Fuller | Kline | Murphy | Watkins |
| Hedge | Lamb | Otjen | The Speaker |

NOT VOTING—185.

| | | | |
|-----------------|------------------|------------------|------------------|
| Acheson | Driscoll | Knopf | Rixey |
| Adams, Pa. | Ellerbe | Lafean | Roberts |
| Adamson | Ellis | Lamar | Robertson, La. |
| Aiken | Esch | Landis, Chas. B. | Rodenberg |
| Allen, N. J. | Field | Law | Ruppert |
| Andrus | Fitzgerald | Legare | Russell |
| Babcock | Flack | Lilley, Conn. | Ryan |
| Bankhead | Flood | Lindsay | Schneebell |
| Bartholdt | Fordney | Littauer | Scott |
| Bates | Fowler | Little | Scroggy |
| Beidler | Gaines, Tenn. | Littlefield | Shartel |
| Bell, Ga. | Garber | Livingston | Sibley |
| Bingham | Gardner, N. J. | Lloyd | Sims |
| Bishop | Gilbert, Ind. | Lorimer | Slayden |
| Blackburn | Gilbert, Ky. | Loud | Slemp |
| Bowers | Gill | Lovering | Small |
| Bowersock | Gillespie | McCall | Smith, Ky. |
| Bowie | Gillett, Cal. | McCreary, Pa. | Smith, Md. |
| Broussard | Gillett, Mass. | McDermott | Smith, Wm. Alden |
| Brown | Glass | McLain | Southall |
| Brundidge | Goebel | McMorran | Sparkman |
| Burgess | Graff | McNary | Spight |
| Burke, S. Dak. | Greene | Mahon | Stafford |
| Burleigh | Gronna | Martin | Stephens, Tex. |
| Burton, Del. | Gudger | Maynard | Sullivan, N. Y. |
| Butler, Pa. | Haskins | Meyer | Sulzer |
| Butler, Tenn. | Haugen | Michalek | Talbott |
| Byrd | Hay | Minor | Towne |
| Calder | Hearst | Moon, Pa. | Trimble |
| Calderhead | Hermann | Moore | Underwood |
| Campbell, Kans. | Hill, Miss. | Morrell | Van Duzer |
| Candler | Hitt | Padgett | Van Winkle |
| Cassel | Hogg | Palmer | Vreeland |
| Clark, Fla. | Hopkins | Parsons | Wachter |
| Clark, Mo. | Houston | Patterson, N. C. | Wanger |
| Cockran | Huff | Patterson, Tenn. | Watson |
| Conner | Hughes | Pearre | Webb |
| Currier | Hull | Powers | Webber |
| Dalzell | Humphrey, Wash. | Pujo | Weems |
| Davey, La. | Humphreys, Miss. | Rainey | Weisse |
| Davidson | James | Randell, Tex. | Welborn |
| Davis, W. Va. | Jones, Va. | Ransdell, La. | Wiley, N. J. |
| Dawes | Ketcham | Reid | Wood, Mo. |
| Deemer | Kinkaid | Reynolds | Woodyard |
| Dickson, Ill. | Kitchin, Claude | Rhinock | |
| Dovener | Klepper | Richardson, Ky. | |
| Dresser | Knapp | Rives | |

So the bill was ordered to be engrossed and read a third time.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WANGER with Mr. ADAMSON.

Mr. CURRIER with Mr. FINLEY.

On this vote:

Mr. MURPHY with Mr. LLOYD.

Mr. ESCH with Mr. STEPHENS of Texas.

Mr. TAWNEY with Mr. MANN.

Mr. GILBERT of Indiana with Mr. FITZGERALD.

Mr. WILLIAMS. Mr. Speaker, I ask for the reading of the engrossed bill.

The SPEAKER. The Clerk will read the engrossed bill.

The engrossed bill was read in full by the Clerk.

The SPEAKER. The Sergeant-at-Arms will reopen the doors.

The question is on the passage of the bill.

Mr. WILLIAMS. Mr. Speaker, I move that the House do now adjourn.

Mr. GROSVENOR. I make the point of order that that is dilatory.

Mr. MILLER. Mr. Speaker, that is a dilatory motion.

Mr. WILLIAMS. Mr. Speaker, it is fifteen minutes after the usual time to adjourn. How gentlemen can possibly say there is anything dilatory about a motion to adjourn at this time I do not understand.

The SPEAKER. The Chair is of the opinion that the motion is dilatory.

Mr. WILLIAMS. The Chair means to say that the House is dilatory in adjourning?

The SPEAKER. No; the gentleman is dilatory in making the motion.

Mr. WILLIAMS. I admit that I make it fifteen minutes too late for the usual motion, if that is dilatory.

The SPEAKER. The question is on the passage of the bill.

Mr. WILLIAMS. Is the Chair really going to hold that the motion to adjourn is dilatory?

The SPEAKER. Yes.

Mr. WILLIAMS. At this hour?

The SPEAKER. Yes. As many as favor the passage of the bill will say "aye," those opposed "no." The ayes seem to have it—

Mr. WILLIAMS. Division!

The SPEAKER. The ayes have it.

Mr. WILLIAMS. Division, Mr. Speaker.

The SPEAKER. Oh, the Chair did not understand the gentleman. A division is demanded.

Mr. WILLIAMS. That is not dilatory, Mr. Speaker.

The House divided; and there were—ayes 148, noes 38.

Mr. WILLIAMS. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 40, answered "present" 29, not voting 189, as follows:

YEAS—124.

| | | | |
|----------------|----------------|-------------------|------------------|
| Adams, Wis. | Darragh | Jones, Wash. | Pollard |
| Alexander | Davis, Minn. | Kahn | Prince |
| Allen, Me. | Dawson | Kelifer | Reeder |
| Ames | Denby | Kennedy, Nebr. | Rhodes |
| Bannon | Dixon, Mont. | Kennedy, Ohio | Samuel |
| Barchfeld | Draper | Knowland | Smith, Cal. |
| Bede | Dunwell | Lacey | Smith, Ill. |
| Bennet, N. Y. | Dwight | Landis, Frederick | Smith, Iowa |
| Bennett, Ky. | Edwards | Le Fevre | Smith, Samuel W. |
| Birdsall | Fassett | Lilley, Pa. | Smith, Pa. |
| Boutell | Fletcher | Longworth | Smoyer |
| Bradley | Foster, Ind. | Loudenslager | Snapp |
| Brick | Foster, Vt. | McCarthy | Southard |
| Brooks, Colo. | French | McCleary, Minn. | Southwick |
| Brownlow | Gaines, W. Va. | McGavin | Sperry |
| Buckman | Gardner, Mass. | McKinlay, Cal. | Steenerson |
| Burke, Pa. | Gardner, Mich. | McKinley, Ill. | Sterling |
| Burton, Ohio | Graff | McKinley | Stevens, Minn. |
| Campbell, Ohio | Graham | McLachlan | Sulloway |
| Capron | Grosvenor | Marshall | Taylor, Ohio |
| Chaney | Hale | Miller | Thomas, Ohio |
| Chapman | Hamilton | Mouser | Tirrell |
| Cocks | Hayes | Mudd | Townsend |
| Cooper, Pa. | Hepburn | Murdock | Tyndall |
| Cooper, Wis. | Higgins | Needham | Valstead |
| Cromer | Hinshaw | Nevin | Waldo |
| Crumpacker | Hoar | Norris | Weeks |
| Curtis | Holliday | Olcott | Wharton |
| Cushman | Howell, N. J. | Olmsted | Williams |
| Dale | Howell, Utah | Parker | Wilson |
| | Hubbard | Payne | Wood, N. J. |

NAYS—40.

| | | | |
|---------------|-------------|------------------|-----------------|
| Beall, Tex. | Garrett | Johnson | Rucker |
| Brantley | Gillespie | Keliber | Sherley |
| Broocks, Tex. | Goldfogle | Lee | Smith, Tex. |
| Burleson | Goulden | Lester | Stanley |
| Burnett | Granger | Lewis | Sullivan, Mass. |
| Clayton | Gregg | Macon | Thomas, N. C. |
| De Armond | Hardwick | Page | Wallace |
| Dixon, Ind. | Heflin | Patterson, S. C. | Wiley, Ala. |
| Floyd | Henry, Tex. | Richardson, Ala. | Young |
| Garner | Hunt | Robinson, Ark. | Zenor |

ANSWERED "PRESENT"—29.

| | | | |
|--------------|-----------------|-------------|--------------|
| Adamson | Hill, Conn. | Mann | Tawney |
| Bartlett | Howard | Moon, Tenn. | Taylor, Ala. |
| Cousins | Jenkins | Murphy | Watkins |
| Foss | Kitchin, Wm. W. | Otjen | Wood, Mo. |
| Fulkerson | Kilne | Overstreet | The Speaker |
| Fuller | Lever | Perkins | |
| Hedge | Lloyd | Sheppard | |
| Henry, Conn. | Madden | Sherman | |

NOT VOTING—189.

| | | | |
|-----------------|------------------|------------------|------------------|
| Acheson | Ellerbe | Lamar | Rixey |
| Adams, Pa. | Ellis | Lamb | Roberts |
| Aiken | Esch | Landis, Chas. B. | Robertson, La. |
| Allen, N. J. | Field | Law | Rodenberg |
| Andrus | Finley | Lawrence | Ruppert |
| Babcock | Fitzgerald | Legare | Russell |
| Bankhead | Flack | Lilley, Conn. | Ryan |
| Bartholdt | Flood | Lindsay | Schneebell |
| Bates | Fordney | Littauer | Scott |
| Beidler | Fowler | Little | Scroggy |
| Bell, Ga. | Gaines, Tenn. | Littlefield | Shackleford |
| Bingham | Garber | Livingston | Shartel |
| Bishop | Gardner, N. J. | Lorimer | Sibley |
| Blackburn | Gilbert, Ind. | Loud | Sims |
| Bowers | Gilbert, Ky. | Lovering | Slayden |
| Bowersock | Gill | McCall | Slemp |
| Bowie | Gillett, Cal. | McCreary, Pa. | Small |
| Broussard | Gillett, Mass. | McDermott | Smith, Ky. |
| Brown | Glass | McLain | Smith, Md. |
| Brundidge | Goebel | McMorran | Smith, Wm. Alden |
| Burgess | Greene | McNary | Southall |
| Burke, S. Dak. | Griggs | Mahon | Sparkman |
| Burleigh | Gronna | Martin | Spight |
| Burton, Del. | Gudger | Maynard | Stafford |
| Butler, Pa. | Haskins | Meyer | Stephens, Tex. |
| Butler, Tenn. | Haugen | Michalek | Sullivan, N. Y. |
| Byrd | Hay | Minor | Sulzer |
| Calder | Hearst | Mondell | Talbott |
| Calderhead | Hermann | Moon, Pa. | Towne |
| Campbell, Kans. | Hill, Miss. | Moore | Trimble |
| Candler | Hitt | Morrell | Underwood |
| Cassel | Hogg | Padgett | Van Duzer |
| Clark, Fla. | Hopkins | Palmer | Van Winkle |
| Clark, Mo. | Houston | Parsons | Vreeland |
| Cockran | Huff | Patterson, N. C. | Wachter |
| Cole | Hughes | Patterson, Tenn. | Wadsworth |
| Conner | Hull | Pearre | Wanger |
| Currier | Humphrey, Wash. | Pou | Watson |
| Dalzell | Humphreys, Miss. | Powers | Webb |
| Davey, La. | James | Pujo | Webber |
| Davidson | Jones, Va. | Rainey | Weems |
| Davis, W. Va. | Ketcham | Randell, Tex. | Weisse |
| Dawes | Kinkaid | Ransdell, La. | Welborn |
| Deemer | Kitchin, Claude | Reid | Wiley, N. J. |
| Dickson, Ill. | Klepper | Reynolds | Woodyard |
| Dovener | Knapp | Rhinock | |
| Dresser | Knopf | Richardson, Ky. | |
| Driscoll | Lafean | Rives | |

So the bill was passed.

The following additional pairs were announced:

For the balance of the day:

Mr. ALLEN of New Jersey with Mr. FITZGERALD.

Mr. COLE with Mr. AIKEN.

Mr. CHARLES B. LANDIS with Mr. JONES of Virginia.

On this vote:

Mr. TAWNEY with Mr. MANN; Mr. TAWNEY in favor, Mr. MANN against.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CANNON, and he answered "present," as above recorded.

Mr. WILLIAMS. Mr. Speaker, I desire to change my vote from "no" to "aye."

The Clerk called the name of Mr. WILLIAMS, and he answered "yea," as above recorded.

The result of the vote was then announced, as above recorded.

The SPEAKER. The question now is on the amendment of the title.

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—ayes 146, noes 37.

Mr. WILLIAMS. I make the point that no quorum is present.

The SPEAKER. The doors will be closed, and the Sergeant-at-Arms will bring in absentees. The Clerk will call the roll. All those in favor of amending the title will, as their names are called, answer "aye," and those opposed answer "no," and those not voting who are present will answer "present."

The question was taken; and there were—ayes 128, noes 35, answered "present" 30, not voting 189, as follows:

YEAS—128.

| | | | |
|----------------|----------------|-------------------|------------------|
| Alexander | Denby | Kahn | Payne |
| Allen, Me. | Dickson, Ill. | Keifer | Pollard |
| Ames | Dixon, Mont. | Kennedy, Nebr. | Prince |
| Babcock | Draper | Kennedy, Ohio | Reeder |
| Bannon | Dunwell | Knowland | Rhodes |
| Barchfeld | Dwight | Lacey | Samuel |
| Bennet, N. Y. | Edwards | Landis, Frederick | Smith, Cal. |
| Bennett, Ky. | Fassett | Le Fevre | Smith, Ill. |
| Birdsall | Fletcher | Lilley, Pa. | Smith, Iowa |
| Bonyunge | Foster, Ind. | Longworth | Smith, Samuel W. |
| Boutell | Foster, Vt. | Loudenslager | Smith, Pa. |
| Brick | French | McCarthy | Smyser |
| Brooks, Colo. | Gaines, W. Va. | McCleary, Minn. | Snapp |
| Brownlow | Gardner, Mich. | McGavin | Southard |
| Buckman | Gilbert, Ind. | McKinlay, Cal. | Southwick |
| Burke, Pa. | Graff | McKinley, Ill. | Steenerson |
| Burton, Ohio | Graham | McKinney | Sterling |
| Campbell, Ohio | Grosvenor | McLachlan | Stevens, Minn. |
| Capron | Hale | Marshall | Sulloway |
| Chaney | Hamilton | Miller | Taylor, Ohio |
| Chapman | Hayes | Minor | Thomas, Ohio |
| Cocks | Henry, Conn. | Mouser | Tirrell |
| Cooper, Pa. | Hepburn | Mudd | Townsend |
| Cooper, Wis. | Higgins | Murdock | Tyndall |
| Cromer | Hill, Conn. | Murphy | Volstead |
| Crumpacker | Hinshaw | Needham | Waldo |
| Curtis | Hoar | Nevin | Weeks |
| Cushman | Holliday | Norris | Wharton |
| Dale | Howell, N. J. | Olcott | Williams |
| Darragh | Howell, Utah | Olmsted | Wilson |
| Davis, Minn. | Hubbard | Overstreet | Wood, N. J. |
| Dawson | Jones, Wash. | Parker | Young |

NAYS—35.

| | | | |
|---------------|-----------------|------------------|---------------|
| Beall, Tex. | Gillespie | Lester | Sherley |
| Brantley | Goulden | Lewis | Smith, Tex. |
| Broocks, Tex. | Gregg | Lloyd | Stanley |
| Burleson | Henry, Tex. | Macon | Taylor, Ala. |
| Burnett | Hunt | Page | Thomas, N. C. |
| De Armond | Johnson | Patterson, S. C. | Wallace |
| Dixon, Ind. | Keliber | Richardson, Ala. | Wiley, Ala. |
| Floyd | Kitchin, Wm. W. | Robinson, Ark. | Zenor |
| Garner | Lee | Rucker | |

ANSWERED "PRESENT"—30.

| | | | |
|----------------|-----------|-------------|-------------|
| Bankhead | Garrett | McNary | Sherman |
| Bartlett | Goldfogle | Madden | Stafford |
| Conner | Granger | Mann | Tawney |
| Cousins | Hedge | Moon, Tenn. | Watkins |
| Foss | Howard | Otjen | Wood, Mo. |
| Fulkerson | Jenkins | Perkins | The Speaker |
| Fuller | Kline | Shackleford | |
| Gardner, Mass. | Lever | Sheppard | |

NOT VOTING—189.

| | | | |
|--------------|-----------------|---------------|----------------|
| Acheson | Bradley | Clayton | Fitzgerald |
| Adams, Pa. | Broussard | Cockran | Flack |
| Adams, Wis. | Brown | Cole | Flood |
| Adamson | Brundidge | Currier | Fordney |
| Aiken | Burgess | Dalzell | Fowler |
| Allen, N. J. | Burke, S. Dak. | Davey, La. | Gaines, Tenn. |
| Andrus | Burleigh | Davidson | Garber |
| Bartholdt | Burton, Del. | Davis, W. Va. | Gardner, N. J. |
| Bates | Butler, Pa. | Dawes | Gilbert, Ky. |
| Bedo | Butler, Tenn. | Deemer | Gill |
| Beidler | Byrd | Dovener | Gillett, Cal. |
| Bell, Ga. | Caldor | Dresser | Gillett, Mass. |
| Bingham | Calderhead | Driscoll | Glass |
| Bishop | Campbell, Kans. | Ellerbe | Goebel |
| Blackburn | Candler | Ellis | Greene |
| Bowers | Cassel | Esch | Griggs |
| Lowersock | Clark, Fla. | Field | Gronna |
| Dowie | Clark, Mo. | Finley | Gudger |

| | | | |
|------------------|------------------|-----------------|------------------|
| Hardwick | Lawrence | Pearre | Smith, Wm. Alden |
| Haskins | Legare | Pou | Southall |
| Haugen | Lilley, Conn. | Powers | Sparkman |
| Hay | Lindsay | Pujo | Sperry |
| Hearst | Littauer | Rainey | Splight |
| Hedlin | Little | Randell, Tex. | Stephens, Tex. |
| Hermann | Littlefield | Ransdell, La. | Sullivan, Mass. |
| Hill, Miss. | Livingston | Reid | Sullivan, N. Y. |
| Hitt | Lorimer | Reynolds | Sulzer |
| Hogg | Loud | Rhinock | Talbot |
| Hopkins | Lovering | Richardson, Ky. | Towne |
| Houston | McCall | Rives | Trimble |
| Huff | McCreary, Pa. | Rixey | Underwood |
| Hughes | McDermott | Roberts | Van Duzer |
| Hull | McLain | Robertson, La. | Van Winkle |
| Humphrey, Wash. | McMorran | Rodenberg | Vreeland |
| Humphreys, Miss. | Mahon | Ruppert | Wachter |
| James | Martin | Russell | Wadsworth |
| Jones, Va. | Maynard | Ryan | Wanger |
| Ketcham | Meyer | Schneebeil | Watson |
| Kinkaid | Michalek | Scott | Webb |
| Kitchin, Claude | Mondell | Scroggy | Webber |
| Klepper | Moon, Pa. | Shartel | Weems |
| Knapp | Moore | Sibley | Welsoe |
| Knopf | Morrell | Sims | Welborn |
| Lafean | Padgett | Slayden | Wiley, N. J. |
| Lamar | Palmer | Slemp | Woodyard |
| Lamb | Parsons | Small | |
| Landis, Chas. B. | Patterson, N. C. | Smith, Ky. | |
| Law | Patterson, Tenn. | Smith, Md. | |

So the motion to amend the title was agreed to.

During the calling of the roll the following occurred:

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Is it in order now to move that the House adjourn?

The SPEAKER. It is not during the roll call.

Mr. WILLIAMS. But the roll call has not yet started.

The SPEAKER. One name has been called, and the Clerk will continue.

The Clerk proceeded and completed the roll call.

The Clerk announced the following additional pairs:

Mr. GARDNER of Massachusetts with Mr. McNARY.

Mr. BEDE with Mr. GRIGGS.

Mr. WILLIAMS rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILLIAMS. Mr. Speaker, I rise for the purpose of moving that the House do now adjourn, but before putting that motion I would like to direct a parliamentary inquiry to the Chair. The title having been perfected, would it be in order now to move to strike out the title?

The SPEAKER. It seems to the Chair not. In the opinion of the Chair, while the question has not arisen for decision, it would not be in order, the previous question having been ordered and operating.

Mr. WILLIAMS. I thought I would wait until after the title was perfected by amendment. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Mississippi moves that the House do now adjourn.

Mr. MILLER. Mr. Speaker, upon that I raise the point of order that the motion is dilatory.

Mr. WILLIAMS. Mr. Speaker, it is now a quarter past 6 o'clock. The last time I made that motion it was a quarter past 5 o'clock.

The SPEAKER. The Chair is inclined to submit the motion to the House, but under the rule it requires a majority to second that motion before it can be put to the House, and that majority is to be ascertained by a rising vote, being counted by the Chair. As many as are in favor of seconding the motion of the gentleman from Mississippi will rise and stand until counted. [After counting.] Fifty-four gentlemen have arisen. Those opposed to seconding the motion will rise and stand until counted. [After counting.] One hundred and fifty-seven gentlemen have arisen.

So the motion to adjourn was not seconded.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry. Has a quorum been announced?

Mr. KEIFER. It is not necessary on this.

Mr. WILLIAMS. I know; but on the other vote.

The SPEAKER. The Chair will state to the gentleman for his information that the House is eight short of a quorum, and the Sergeant-at-Arms is attempting to bring in Members under the rule, and on the motion to adjourn a second has been refused, and here we are. [Laughter and applause.]

Mr. BARTLETT. Mr. Speaker, I desire to ask unanimous consent in reference to a vote which I cast on the first roll call, if the House will permit me.

The SPEAKER. It would hardly be in order at this time. The gentleman can hardly interrupt a roll call.

Mr. BARTLETT. I thought the roll call was finished.

The SPEAKER. We are trying to ascertain whether there is

a quorum. The House can do no business until that is disposed of. The Chair will be glad to recognize the gentleman when a quorum is ascertained.

After an interval,

Mr. WILLIAMS. Mr. Speaker, a quarter of one hour, lacking two and a half minutes, having passed, I would like to renew the motion that the House do now adjourn. Perhaps it has changed its mind.

Mr. MILLER. Mr. Speaker, I raise the point of order that the motion is dilatory.

The SPEAKER. No business has intervened since the gentleman did move to adjourn, which motion failed even to get a second. The Chair will state to the gentleman we seem to be four short of a quorum, and the Sergeant-at-Arms reports that he is hustling. The suggestion of the lapse of fifteen minutes by way of a motion it seems to the Chair is dilatory, and the Chair would be so inclined to hold. [After an interval.] Upon this vote the yeas are 128, the nays 35, present 29—a quorum. The ayes have it.

Mr. MILLER. I move, Mr. Speaker, that the House do now adjourn.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman can enter his motion tomorrow, if he chooses to do it, under the rules.

Mr. WILLIAMS. I know; but I wanted to get some information from the Chair.

The SPEAKER. The gentleman can hardly interrupt the motion to adjourn.

The motion was agreed to.

Thereupon (at 7 o'clock and 2 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting record of certain judgments rendered by the Court of Claims against the United States—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting an estimate of appropriation for land and building for subtreasury at San Francisco—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Postmaster-General, transmitting papers in the claim of John N. Newkirk—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 19150) to change and fix the time for holding the circuit and district courts of the United States for the middle district of Tennessee, in the southern division of the eastern district of Tennessee at Chattanooga, and the northeastern division of the eastern district of Tennessee at Greeneville, and for other purposes, reported the same with amendment, accompanied by a report (No. 4266); which said bill and report were referred to the House Calendar.

Mr. GREENE, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 19374) to prohibit shanghaiing in the United States, reported the same without amendment, accompanied by a report (No. 4267); which said bill and report were referred to the House Calendar.

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3433) to amend an act entitled "An act to divide the judicial district of North Dakota," approved April 26, 1890, reported the same without amendment, accompanied by a report (No. 4269); which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17455) permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn., reported the same with amendment, accompanied by a report (No. 4270); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17758) permitting the building of a dam across the Mississippi River, in the county of Morrison, State of Minnesota, reported the same with amendment, accompanied by a report (No. 4271); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17881) permitting the building of a dam across the Crow Wing River between the counties of Morrison and Cass, State of Minnesota, reported the same with amendment, accompanied by a report (No. 4272); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5357) permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn., reported the same with amendment, accompanied by a report (No. 4273); which said bill and report were referred to the House Calendar.

Mr. BURTON of Ohio, from the Committee on Rivers and Harbors, to which was referred the bill of the House H. R. 13300, reported in lieu thereof a bill (H. R. 19473) authorizing the use of the waters in Coosa River at Lock 4, in Alabama, accompanied by a report (No. 4275); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 18900) correcting the military record of E. J. Kolb, alias E. J. Kulb, reported the same without amendment, accompanied by a report (No. 4265); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1211) to correct the military record of John Alspaugh, reported the same without amendment, accompanied by a report (No. 4268); which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13836) to remove the charge of desertion from the record of Tyler Weare, reported the same with amendment, accompanied by a report (No. 4274); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10135) to provide for an additional judge for the northern district of California, reported the same adversely, accompanied by a report (No. 4264); which said bill and report were ordered laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. HAYES: A bill (H. R. 19468) to increase the limit of cost of the construction of the immigrant station at Angel Island, in the harbor of San Francisco, Cal.—to the Committee on Immigration and Naturalization.

By Mr. LILLEY of Pennsylvania (by request): A bill (H. R. 19469) creating a commission to investigate the subject of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. SULZER: A bill (H. R. 19470) to promote the construction of good roads and the efficiency of the postal service in the States and Territories of the United States—to the Committee on Agriculture.

By Mr. BENNET of New York: A bill (H. R. 19471) fixing the salary of the assistant postmaster in New York City—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: A bill (H. R. 19472) authorizing certain changes in the permanent system of highways, District of Columbia—to the Committee on the District of Columbia.

By Mr. BURTON of Ohio, from the Committee on Rivers and Harbors: A bill (H. R. 19473) authorizing the use of the waters in Coosa River at Lock 4, in Alabama—to the House Calendar.

By Mr. SIBLEY: A joint resolution (H. J. Res. 158) amending section 2 of joint resolution approved July 1, 1902, construing the act of June 27, 1890—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A resolution (H. Res. 525) providing for the payment to Clarence E. Gauss of the sum of \$500 for services as assistant stenographer to the Committee on Invalid Pensions during the first session of the Fifty-ninth Congress—to the Committee on Accounts.

Also, a resolution (H. Res. 526) providing for the payment to Herman Gauss of the sum of \$1,000 for extra and expert services as assistant clerk of the Committee on Invalid Pensions by detail—to the Committee on Accounts.

By Mr. DRAPER: A resolution (H. Res. 527) providing for the appointment of a clerk in the House document room—to the Committee on Accounts.

By Mr. WILLIAM W. KITCHIN: A resolution (H. Res. 528) requesting of the Secretary of the Navy certain information as to the cost of armor plate and armor plant, etc.—to the Committee on Naval Affairs.

By Mr. HARDWICK: A resolution (H. Res. 529) to amend Rule X of the rules of the House—to the Committee on Rules.

Also, a resolution (H. Res. 530) to amend Rule XI of the rules of the House—to the Committee on Rules.

By Mr. McNARY: A resolution (H. Res. 531) giving certain instructions to the United States delegation to the Third International Conference of American Republics, to be held at Rio de Janeiro in July—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Wisconsin: A bill (H. R. 19474) granting an increase of pension to Mathew Kerwin—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 19475) granting an increase of pension to Lucius H. Felt—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 19476) granting an increase of pension to Frances Davis—to the Committee on Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 19477) granting an increase of pension to William H. Lamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19478) granting an increase of pension to Stephen M. Fisk—to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 19479) granting an increase of pension to George W. Savage—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 19480) granting an increase of pension to Malinda Stinnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19481) for the relief of Elizabeth P. Jenkins, executrix of the estate of William Dominico Jenkins—to the Committee on War Claims.

By Mr. FOSS: A bill (H. R. 19482) granting an increase of pension to Sarah E. Cannell—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 19483) granting a pension to Lydia A. Patnaude—to the Committee on Invalid Pensions.

By Mr. GILBERT of Indiana: A bill (H. R. 19484) granting an increase of pension to Archibald Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19485) granting an increase of pension to Isaac Redenbo—to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 19486) granting an increase of pension to Anna K. Rhoades—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 19487) for the relief of John Billups—to the Committee on War Claims.

By Mr. KLINE: A bill (H. R. 19488) granting a pension to Uriah Hartzell—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 19489) for the relief of the legal representatives of Samuel C. Hull, deceased—to the Committee on War Claims.

By Mr. LAWRENCE: A bill (H. R. 19490) granting a pension to Estelle I. Reed—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 19491) for the relief of the Apel Cigar Company—to the Committee on Claims.

By Mr. RHODES: A bill (H. R. 19492) granting an increase of pension to Mary A. Counts—to the Committee on Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 19493) to

reimburse Oscar Fulgham, ex-sheriff of Madison County, Ala., for judgment and costs rendered against him by the State courts of Alabama while acting in the service of the United States—to the Committee on Claims.

By Mr. STERLING: A bill (H. R. 19494) granting an increase of pension to Vatchel Carmen—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 19495) granting an increase of pension to A. P. Glaspie—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 4292) granting a pension to George W. Kelly—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 17377) granting a pension to Luther M. Southall—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17378) granting a pension to Mary W. Taylor—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTLETT: Petitions of Macon Council, No. 290, of the United Commercial Travelers, and W. A. Freeman, G. C. Carmichael, and J. P. Sammons, committee, against bill H. R. 4549—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKE of Pennsylvania: Paper to accompany bill for relief of Samuel B. McLean—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: Petition of the General Federation of Women's Clubs, and the Century Club, of Coatesville, Pa., for an appropriation to investigate the industrial conditions of women in the United States—to the Committee on Appropriations.

By Mr. CAMPBELL of Ohio: Petition of 60 American artists, for repeal of the duty on art works—to the Committee on Ways and Means.

By Mr. DAWSON: Petition of Hand in Hand Lodge, of Clinton, Iowa, against the amendment to rate bill to prohibit passes to employees and their families—to the Committee on Interstate and Foreign Commerce.

By Mr. DOVENER: Paper to accompany bill for relief of Jonas M. Sees—to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of the city council of Chicago, for control of the drainage of the Chicago city canal by the Federal Government exclusively—to the Committee on Rivers and Harbors.

By Mr. FLOYD: Paper to accompany bill for relief of Samuel H. Britts—to the Committee on Pensions.

By Mr. GRANGER: Petition of the Ladies of the Maccabees of the World, Northeastern Branch, and the State Federation of Clubs of Rhode Island, for an appropriation to investigate the industrial condition of women in the United States—to the Committee on Appropriations.

By Mr. HEFLIN: Paper to accompany bill for relief of Lucinda Brady, wife of Simon D. Brady—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Petition of Presbyterian Church of Atlantic Highlands, N. J., for a constitutional amendment prohibiting polygamy in the United States—to the Committee on the Judiciary.

By Mr. LEE: Paper to accompany bill for relief of William Farrer—to the Committee on War Claims.

By Mr. LINDSAY: Petition of the city council of Chicago, Ill., for regulation of the drainage of the Chicago city canal solely by the Federal Government—to the Committee on Rivers and Harbors.

By Mr. LORIMER: Petition of Squire T. Harvey & Sons, favoring the provision in the pure-food bill relative to blended whiskies—to the Committee on Interstate and Foreign Commerce.

By Mr. OLCOTT: Paper to accompany bill for relief of James A. Lessey—to the Committee on Invalid Pensions.

By Mr. PATTERSON of South Carolina: Paper to accompany bill for relief of Emily Fox—to the Committee on Pensions.

By Mr. RICHARDSON of Alabama: Paper to accompany bill

for relief of Oscar Fulgham—to the Committee on War Claims.

By Mr. SOUTHARD: Petition of the Helvetia Milk Condensing Company, against cutting out the clause of agricultural appropriation bill relative to research work on American food stuffs—to the Committee on Agriculture.

By Mr. SULLIVAN of New York: Petition of the city council of Chicago, for sole control of the drainage of the Chicago city canal by the Federal Government—to the Committee on Rivers and Harbors.

By Mr. VREELAND: Petition of the railway employees of Salamanca, N. Y., against the amendment in the railway rate bill prohibiting free passes to employees and their families—to the Committee on Interstate and Foreign Commerce.

By Mr. WHARTON: Petition of the city council of Chicago, for sole control by the Federal Government of the outflow from Lake Michigan into the Chicago city canal—to the Committee on Rivers and Harbors.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 19, 1906.

The House met at 12 o'clock m.

Prayer by the Chaplain, the Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

Mr. PAYNE. Mr. Speaker, I move that the Journal be approved.

The motion was agreed to.

REVISED STATUTES.

Mr. JENKINS. Mr. Speaker, I desire to call up conference report on the bill (H. R. 10129) to amend section 5501 of the Revised Statutes of the United States.

Mr. McCALL. Mr. Speaker, if the gentleman will permit me, this report has been pending a long time, and I think it should be disposed of; therefore, I am willing to have it brought up. The gentleman from New York [Mr. COCKRAN] has been interested in this bill. Temporarily he is out of the city. Now, I would ask the gentleman if he can not let the matter which was before the House last night be disposed of, and let this go over with the understanding that he will immediately call it up, so that we may dispose of this report to-day? I prefer to have the gentleman from New York [Mr. COCKRAN] present. He has been here in attendance, but happens just now not to be in the House. In any event, we can dispose of it to-day.

Mr. JENKINS. Mr. Speaker, I yield to the gentleman from Texas [Mr. BURLESON] to reply to the question of the gentleman from Massachusetts [Mr. McCALL].

Mr. BURLESON. I will state to the gentleman from Massachusetts that I have no objection whatever to the gentleman from New York [Mr. COCKRAN] being present when this matter is disposed of, but as the gentleman from Massachusetts knows and understands, we have postponed this matter time and time again, and I am anxious to have it disposed of. If we can have an understanding that immediately after this other matter is disposed of—

Mr. McCALL. I agree with everything the gentleman has said, and I agree to that.

Mr. BURLESON. But, as I understand it, the gentleman from Massachusetts and I can not make that agreement. There must be a third party to it.

Mr. McCALL. Well, let it be understood that the chairman of the committee is to call it up immediately after the matter before the House last evening is disposed of.

Mr. BURLESON. If that meets the approbation of the Speaker and the gentleman from Wisconsin, I have no objection whatever; but I do want the matter disposed of.

Mr. PAYNE. This is a privileged matter that can be called up at any time.

The SPEAKER. A conference report is a matter of the highest privilege.

Mr. CRUMPACKER. Mr. Speaker, this bill is a very important measure, and I think there ought to be some little time devoted to its consideration. This is a criminal law, and it seems to me open to some very serious criticisms. The code reported by the Committee on the Revision of the Laws contains a section covering this particular question, and if that be acted upon at this session, why, I do not know that anything can be gained by considering both propositions. But I certainly will oppose agreeing to the conference report. I think there ought to be a little time for its consideration, because it violates, it seems to me, all the principles of criminal legislation.

Mr. JENKINS. I withdraw the request for present consideration of the conference report.

The SPEAKER. The gentleman withdraws the conference report.

ESTATE OF SAMUEL LEE, DECEASED.

Mr. MILLER. Mr. Speaker, I move to reconsider the last vote taken last night, and also move to lay that motion on the table.

The SPEAKER. Let the Chair understand. The last vote taken covers the title. The vote taken prior to that covers the passage of the bill. Which vote does the gentleman desire to reconsider—the one passing the bill?

Mr. MILLER. The one passing the bill.

The SPEAKER. The gentleman moves to reconsider—

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Would it be in order, the title of the bill having been perfected, to move to strike out the title?

The SPEAKER. The Chair thinks not. The gentleman from Kansas moves to reconsider the vote by which the bill was passed, and also moves to lay that motion on the table.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Division, Mr. Speaker.

The House divided; and there were—ayes 99, noes 65.

Mr. WILLIAMS. No quorum present, Mr. Speaker.

The SPEAKER. The doors will be closed; the Sergeant-at-Arms will bring in the absentees; as many as are in favor of the motion to lay on the table will, as their names are called, vote "yea;" those opposed will vote "nay;" those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken; and there were—ayes 131, noes 59, answered "present" 32, not voting 159, as follows:

YEAS—131.

| | | | |
|-----------------|----------------|-----------------|------------------|
| Adams, Wis. | Cushman | Howell, N. J. | Olmsted |
| Alexander | Dale | Howell, Utah | Overstreet |
| Allen, Me. | Darragh | Hubbard | Payne |
| Ames | Davis, Minn. | Jones, Wash. | Perkins |
| Babcock | Dawson | Kahn | Pollard |
| Bannon | Denby | Keifer | Prince |
| Barnfield | Dunwell | Kennedy, Nebr. | Rhodes |
| Bates | Dwight | Kennedy, Ohio | Rodenberg |
| Bede | Edwards | Kinkaid | Samuel |
| Bennet, N. Y. | Esch | Knowland | Slemp |
| Bennett, Ky. | Fassett | Lacey | Smith, Cal. |
| Birdsall | Foster, Ind. | Lawrence | Smith, Ill. |
| Bishop | Foster, Vt. | Le Fevre | Smith, Samuel W. |
| Bonyng | French | Lilley, Pa. | Smyser |
| Boutell | Gaines, W. Va. | Loud | Snapp |
| Brooks, Colo. | Gardner, Mass. | Lovering | Southard |
| Brown | Gardner, Mich. | McCall | Southwick |
| Brownlow | Gilbert, Ind. | McCleary, Minn. | Sperry |
| Buckman | Gillett, Cal. | McGavin | Steenerson |
| Burke, Pa. | Graham | McKinlay, Cal. | Stevens, Minn. |
| Burton, Ohio | Grosvenor | McKinley, Ill. | Sulloway |
| Campbell, Kans. | Hamilton | McKinney | Taney |
| Campbell, Ohio | Haugen | McLachlan | Taylor, Ohio |
| Capron | Hayes | Mann | Thomas, Ohio |
| Cassel | Hedge | Marshall | Tirrell |
| Chaney | Henry, Conn. | Miller | Townsend |
| Chapman | Hepburn | Minor | Volstead |
| Cooper, Pa. | Higgins | Mouser | Wanger |
| Cooper, Wis. | Hill, Conn. | Murdoch | Wharton |
| Cousins | Hinshaw | Murphy | Wilson |
| Cromer | Hoar | Needham | Wood, N. J. |
| Crumpacker | Holliday | Norris | Young |
| Curtis | | Olcott | |

NAYS—59.

| | | | |
|--------------|------------------|------------------|-----------------|
| Adamson | Ellerbe | Johnson | Russell |
| Alken | Flood | Jones, Va. | Ryan |
| Bankhead | Floyd | Kelher | Shackelford |
| Beall, Tex. | Garner | Lee | Sims |
| Bowers | Garrett | Lester | Slayden |
| Bowie | Gilbert, Ky. | Lewis | Smith, Tex. |
| Brantley | Gillespie | Livingston | Spight |
| Brooks, Tex. | Gregg | Lloyd | Sullivan, Mass. |
| Burgess | Griggs | Macon | Talbot |
| Burleson | Hay | Patterson, S. C. | Taylor, Ala. |
| Burnett | Heilin | Randell, Tex. | Thomas, N. C. |
| Candler | Henry, Tex. | Richardson, Ala. | Wallace |
| Clark, Fla. | Hopkins | Robertson, La. | Williams |
| De Armond | Humphreys, Miss. | Robinson, Ark. | Zenor |
| Dixon, Ind. | Hunt | Rucker | |

ANSWERED "PRESENT"—32.

| | | | |
|---------------|-----------|------------------|----------------|
| Bartlett | Finley | Kline | Powers |
| Bell, Ga. | Foss | Lamb | Scott |
| Brick | Fulkerson | Lever | Sheppard |
| Clark, Mo. | Fuller | Madden | Sherman |
| Clayton | Goulden | Maynard | Smith, Iowa |
| Davey, La. | Granger | Moon, Tenn. | Stafford |
| Dickson, Ill. | Howard | Otjen | Stephens, Tex. |
| Dixon, Mont. | Jenkins | Patterson, N. C. | Watkins |

NOT VOTING—159.

| | | | |
|--------------|-----------|----------------|------------|
| Acheson | Bingham | Burke, S. Dak. | Calder |
| Adams, Pa. | Blackburn | Burleigh | Calderhead |
| Allen, N. J. | Bowersock | Burton, Del. | Cockran |
| Andrus | Bradley | Butler, Pa. | Cocks |
| Bartholdt | Broussard | Butler, Tenn. | Cole |
| Beidler | Brundidge | Byrd | Conner |